

ILLINOIS POLLUTION CONTROL BOARD  
September 30, 2008

ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Complainant,	)	
	)	
v.	)	AC 09-7
	)	(IEPA No. 138-08-AC)
MID-AMERICA MACHINERY COMPANY,	)	(Administrative Citation)
	)	
Respondent.	)	

ORDER OF THE BOARD (by G.T. Girard):

On July 28, 2008, the Illinois Environmental Protection Agency (Agency) filed an administrative citation against Mid-America Machinery Company (Mid-America). *See* 415 ILCS 5/31.1 (2006); 35 Ill. Adm. Code 108. The administrative citation concerns a property located at 33256 Old Route 4 in Virden, Macoupin County. The property is commonly known to the Agency as the “Virden/Mid-America Machinery Co.” site and is designated with Site Code No. 1174100001. The Agency alleged that Mid-America violated Sections 21(p)(1) and (p)(7) of the Environmental Protection Act (415 ILCS 5/21(p)(1), (p)(7) (2006)) by causing or allowing the open dumping of waste in a manner resulting in litter and the deposition of general or clean construction or demolition debris.

On September 22, 2008, the Agency filed a motion to voluntarily dismiss the administrative citation. In the motion, the Agency states that it failed to serve the administrative citation on Mid-America within “60 days after the date of the observed violation.” 415 ILCS 5/31.1(b) (2006); *see also* 35 Ill. Adm. Code 108.202(b). The Board therefore grants the Agency’s motion, dismisses this case, and closes the docket. *See* 35 Ill. Adm. Code 108.402.

IT IS SO ORDERED.

I, John Therriault, Assistant Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on September 30, 2008, by a vote of 4-0.



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John Therriault, Assistant Clerk  
Illinois Pollution Control Board