

ILLINOIS POLLUTION CONTROL BOARD
November 20, 2008

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,)
)
v.) AC 09-17
) (IEPA No. 293-08-AC)
JOHN KRAUSHAAR, JR. and KYLE) (Administrative Citation)
KRAUSHAAR,)
)
Respondents.)

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

On October 17, 2008, the Illinois Environmental Protection Agency (Agency) filed an administrative citation against John Kraushaar, Jr. and Kyle Kraushaar (respondents). *See* 415 ILCS 5/31.1 (2006); 35 Ill. Adm. Code 108. The administrative citation concerns a property located at 531 W. Bridgeport Street in White Hall, Greene County. The property is commonly known to the Agency as the “White Hall/Kraushaar #2” site and is designated with Site Code No. 0610405019. The Agency alleged that respondents violated Sections 21(p)(1), (p)(3), and (p)(7) of the Environmental Protection Act (415 ILCS 5/21(p)(1), (p)(3), (p)(7) (2006)) by causing or allowing the open dumping of waste in a manner resulting in litter, open burning, and the deposition of general or clean construction or demolition debris.

On November 17, 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 respondents 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 November 20, 2008, by a vote of 5-0.



John Therriault, Assistant Clerk
Illinois Pollution Control Board