

ILLINOIS POLLUTION CONTROL BOARD
October 21, 2010

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	
)	
v.)	AC 11-9
)	(IEPA No. 261-10-AC)
KENNETH EARL KOKER and BARBARA)	(Administrative Citation)
KOKER,)	
)	
Respondents.)	

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

On September 14, 2010, the Illinois Environmental Protection Agency (Agency) filed an administrative citation against Kenneth Earl Koker and Barbara Koker (respondents). *See* 415 ILCS 5/31.1 (2008); 35 Ill. Adm. Code 108. The administrative citation concerns a facility located at 4380 Massey Road in rural Raleigh, Saline County. The property is commonly known to the Agency as the “Raleigh/Koker, Kenneth Earl” site and is designated with Site Code No. 1658070001. The Agency alleged that on July 30, 2010, respondents violated Sections 21(p)(1), (p)(5), and (p)(7) of the Environmental Protection Act (415 ILCS 5/21(p)(1), (p)(5), (p)(7) (2008)) by causing or allowing the open dumping of waste in a manner resulting in litter, the proliferation of disease vectors, and the deposition of general or clean construction or demolition debris.

On October 12, 2010, the Agency filed a motion to voluntarily dismiss the administrative citation.¹ 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) (2008); *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 October 21, 2010, by a vote of 5-0.



¹ The Agency’s motion at times refers to respondents as a Mr. George R. Ford, which the Board construes as mere scrivener’s error.

John Therriault, Assistant Clerk
Illinois Pollution Control Board