

ILLINOIS POLLUTION CONTROL BOARD
June 6, 2013

IN THE MATTER OF:)
)
PETITION OF KRAMER TREE) AS 13-3
SPECIALISTS, INC. FOR ADJUSTED) (Adjusted Standard – Land)
STANDARD FROM SPECIFIC)
STANDARDS FOR COMPOST FACILITIES)

ORDER OF THE BOARD (by C.K. Zalewski):

On April 30, 2013, Kramer Tree Specialists, Inc. (Kramer) located in West Chicago, DuPage County, filed a petition for “an adjusted standard from certain of [sic] the requirements of 35 Ill. Adm. Code 830.205(a)(1)(A), 830.206(f), (k), (l) and (n), 830.503, 830.504 and 830.507.” (Pet.) On May 29, 2013, Kramer filed a Motion for Voluntary Dismissal Without Prejudice requesting that the Board dismiss the petition. In its motion, Kramer notes that it was required to, “have published certain notices ‘by advertisement in a [geographically appropriate] newspaper of general circulation’ within 14 days of filing its petition.” Pet. *citing* 35 Ill. Adm. Code 104.408. No such notices were published. Therefore, Kramer moves the Board to dismiss the petition so that Kramer may file a new petition for adjusted standard and comply with the publication requirement of Section 104.408. 415 ILCS 5/28.1(d)(1) (2010); 35 Ill. Adm. Code 104.408.

The Board grants Kramer’s motion, dismisses this case, and closes the docket.

IT IS SO ORDERED.

I, John T. Therriault, Assistant Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on June 6, 2013 by a vote of 5-0.



John T. Therriault, Assistant Clerk
Illinois Pollution Control Board