



**ROBERT B. BERLIN**  
**STATE'S ATTORNEY**  
DU PAGE COUNTY, ILLINOIS

October 15, 2013

John Therriault  
Clerk of the Board  
Illinois Pollution Control Board  
100 W. Randolph, Suite 11-500  
Chicago, Illinois 60601

Re: Administrative Citation – McKeown Classic Homes, Inc.  
AC# 14-9  
Site Code 0438045018  
Inspection Date: July 10, 2013

Dear Mr. Therriault:

Enclosed for filing with the Board is the Motion to Dismiss Citation in the above-referenced matter issued against McKeown Classic Homes.

Please acknowledge receipt and filing of the enclosed. Thank you.

Sincerely,

Lisa A. Smith  
Assistant State's Attorney

enclosures

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD  
ADMINISTRATIVE CITATION**

County of DuPage, )  
 )  
 Complainant, )  
 )  
 v. ) AC 14-9  
 )  
 McKeown Classic Homes, Inc. )  
 )  
 Respondent. )

**NOTICE OF FILING**

TO: McKeown Classic Homes, Inc.  
c/o Anthony G. Barone  
635 Butterfield Road, Suite 145  
Oakbrook Terrace, IL 60181

PLEASE TAKE NOTICE that on October 15, 2013 I mailed for filing with the Clerk of the Pollution Control Board of the State of Illinois the following MOTION TO DISMISS CITATION.

Respectfully submitted,



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Lisa A. Smith  
Assistant State's Attorney

County of DuPage  
503 North County Farm Road  
Wheaton, IL 60187  
(630) 407-8200

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

County of DuPage, )  
 )  
 Complainant, )  
 )  
 v. ) AC 14-9  
 )  
 McKeown Classic Homes, Inc. )  
 )  
 Respondent. )

**MOTION TO DISMISS ADMINISTRATIVE CITATION**

NOW COMES the Complainant, County of DuPage, and hereby moves the Illinois Environmental Protection Agency to dismiss Administrative Citation No. AC 14-9 based on the settlement of the parties as stated below:

1. Complainant, County of DuPage, is a unit of local government to which the Illinois Environmental Protection Agency has delegated authority to issue administrative citations pursuant to Section 4(r) of the Illinois Environmental Protection Act, ("Act"), 415 ILCS 5/4(r) (2007). DuPage County is thus a "delegated unit" and may issue administrative citations under 35 Ill. Adm. Code 108.200.

2. The Respondent, McKeown Classic Homes, Inc., is the present owner and is in control of the property at 1S622 Sunnybrook, Glen Ellyn, located in the County of DuPage, State of Illinois.

3. The Complainant agrees to dismiss the above-referenced administrative citation based on Respondent's agreement to the following terms:

- a. Respondent represents that the debris on the property has been removed at this time;
- b. Respondent shall place chains across the driveways of the property to limit access;

- c. Respondent shall apply for a permit to demolish the structures on the property by October 31, 2013;
- d. The demolition and inspections of same shall be completed by December 31, 2013;
- e. The Respondent shall pay a fine of \$500, payable \$250 to the Illinois Environmental Protection Agency and \$250 to the County of DuPage.

DATE: October 15, 2013

County of DuPage  
Office of the State's Attorney



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Lisa A. Smith  
Assistant State's Attorney

County of DuPage  
503 North County Farm Road  
Wheaton, IL 60187  
(630) 407-8200

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

County of DuPage,	)	
	)	
Complainant,	)	
	)	
v.	)	AC 14-9
	)	
McKeown Classic Homes, Inc.	)	
	)	
Respondent.	)	

CERTIFICATE OF SERVICE

To: Mr. Anthony G. Barone, Barone & Jenkins, P.C.  
635 Butterfield Road, Suite 145  
Oakbrook Terrance, Illinois 60181

The undersigned being first duly sworn upon oath states that I served a copy of Complainant's MOTION TO DISMISS CITATION in the above referenced matter on the 15<sup>th</sup> day of October, 2013, by mailing Certified Mail # 7009 2250 0001 0690 0935 to each person to whom it is directed and depositing the same in the U.S. Mail at Wheaton, Illinois with the proper postage prepaid.

*Rosal A Smith*

Subscribed and sworn to before me  
this 15<sup>th</sup> day of October, 2013.

*Karen J Wolak*  
\_\_\_\_\_  
Notary Public

