

ILLINOIS POLLUTION CONTROL BOARD
December 19, 2013

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	
)	
v.)	AC 14-26
)	(IEPA No. 322-13-AC
G AND E FIVE, LLC AND NORTHWIND)	(Administrative Citation)
RAS, LLC,)	
)	
Respondent.)	

OPINION AND ORDER OF THE BOARD (by D. Glosser):

On November 25, 2013, the Illinois Environmental Protection Agency (Agency) filed an administrative citation against G and E Five, LLC (G and E) and Northwind (Northwind) RAS, LLC. (collectively respondents). *See* 415 ILCS 5/31.1 (2012); 35 Ill. Adm. Code 108. The administrative citation concerns a property located at 5728 Logistics Parkway, Rockford, Winnebago County. The property is commonly known to Agency as the “Rockford/Northwind RAS, LLC” site and is designated with Site Code No. 2010306637. The Agency alleged that on September 27, 2013, respondents violated Sections 21(p)(1) and (7), of the Environmental Protection Act (415 ILCS 5/21(p)(1) and (7) (2012)) by open dumping waste leading to litter and in a manner resulting in deposition of general construction or demolition debris, or clean construction or demolition debris.

On December 16, 2013, the Agency filed a motion for voluntary dismissal of the administrative citation. In the motion, the Agency states that it failed to serve the citation on G and E within “60 days after the date of the observed violation.” 415 ILCS 5/31.1(b) (2012); *see also* 35 Ill. Adm. Code 108.202(b). The Board therefore grants Agency’s motion, dismisses G and E from the case. The case proceeds against Northwind.

IT IS SO ORDERED.

I, John T. Therriault, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on December 19, 2013, by a vote of 4-0.



John T. Therriault, Clerk
Illinois Pollution Control Board