

ILLINOIS POLLUTION CONTROL BOARD
December 21, 2017

COUNTY OF JACKSON,)
)
Complainant,)
)
v.) AC 17-11
) (Administrative Citation)
BRUCE REESE and BRYAN BRUCE,)
)
Respondent.)

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

On February 16, 2017, Jackson County timely filed an administrative citation (AC) against Bruce Reese and Bryan Bruce (respondents). *See* 415 ILCS 5/31.1(c) (2014); 35 Ill. Adm. Code 101.300(b), 108.202(c). The AC concerns respondents' facility located on Dillinger Road in Carbondale, Jackson County. The property is commonly known to the Illinois Environmental Protection Agency as the "Carbondale/Bruce Reese" site and is designated with Site Code # 077 801 5043.

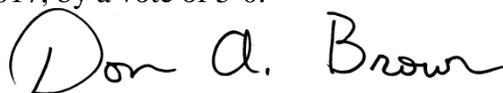
Under the Environmental Protection Act (Act) (415 ILCS 5 (2016)), an AC is an expedited enforcement action brought before the Board seeking civil penalties that are fixed by statute. ACs may be filed only by the Agency or, if the Agency has delegated the authority, by a unit of local government, and only for limited types of alleged violations. *See* 415 ILCS 5/21(o), 21(p), 22.51, 22.51a, 31.1(c), 42(b)(4), 42(b)(4-5), 55(k) (2014); 35 Ill. Adm. Code 108.

In this case, Jackson County alleges that on January 11, 2017, respondents violated Sections 21(p)(1) and 21(p)(7) of the Act (415 ILCS 5/21(p)(1), (p)(7) (2014)) by causing or allowing open dumping that resulted in both litter and the deposition of general or clean construction or demolition debris at the Jackson County site.

On December 7, 2017, Jackson County filed a motion for voluntary dismissal of the administrative citation. In the motion, Jackson County states that the site is "cleaned up and in compliance with the laws." Motion at 1. The Board grants Jackson County's motion, dismisses the case, and closes the docket.

IT IS SO ORDERED.

I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on December 21, 2017, by a vote of 5-0.



Don A. Brown, Clerk
Illinois Pollution Control Board