

ILLINOIS POLLUTION CONTROL BOARD
January 17, 2019

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	
)	
v.)	AC 19-12
)	(IEPA No. 173-18-AC)
DARRYL and SHANNA NOE,)	(Administrative Citation)
)	
Respondents.)	

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

On December 4, 2018, the Illinois Environmental Protection Agency (Agency) filed an administrative citation against Darryl Noe and Shanna Noe (Noes). *See* 415 ILCS 5/31.1 (2016); 35 Ill. Adm. Code 108. The administrative citation concerns a property located at 902 W Hayes Street in Keyesport, Clinton County. The property is commonly known to the Agency as the “Keyesport/Noe Darryl” site and is designated with Site Code No. 0274585007. The Agency alleged that on October 25, 2018, the Noes violated Section 21(p)(1) and 55(k)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1), 55(k)(1) (2016)) by causing or allowing open dumping resulting in litter and causing or allowing water to accumulate in used or waste tires.

On January 8, 2019, 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 the Noes within “60 days after the date of the observed violation.” 415 ILCS 5/31.1(b) (2016); *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, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on January 17, 2019, by a vote of 5-0.



Don A. Brown, Clerk
Illinois Pollution Control Board