

ILLINOIS POLLUTION CONTROL BOARD
January 17, 2019

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,)
)
v.) AC 19-13
) (IEPA No. 174-18-AC)
BRIAN O’NEIL and TAMMY O’NEIL,) (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 Brian O’Neil and Tammy O’Neil (O’Neils). *See* 415 ILCS 5/31.1 (2016); 35 Ill. Adm. Code 108. The administrative citation concerns a property located at 1196 CR 2400 E in St. Joseph, Champaign County. The property is commonly known to the Agency as the “O’Neil Brian” site and is designated with Site Code No. 0198233006. The Agency alleged that on October 31, 2018, the O’Neils violated Section 21(p)(1) and (p)(3) of the Environmental Protection Act (415 ILCS 5/21(p)(1), (p)(3) (2015)) by causing or allowing open dumping resulting in litter and open burning.

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 O’Neils 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