

ILLINOIS POLLUTION CONTROL BOARD
May 15, 2025

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	
)	
v.)	AC 25-5
)	(IEPA No. 62-25-AC)
MITCHELL A. GRAY,)	(Administrative Citation)
)	
Respondents.)	

ORDER OF THE BOARD (by B.F. Currie):

On April 22, 2025, the Illinois Environmental Protection Agency (Agency) filed an administrative citation against Jeffrey A. Cox, Rhonda E. Cox, and Mitchell A. Gray (collectively, respondents). *See* 415 ILCS 5/31.1 (2022); 35 Ill. Adm. Code 108. The administrative citation concerns a property located at 318 South 5th Street SW in Clay City, Clay County owned by Jeffrey A. Cox and Rhonda E. Cox and operated by Mitchell A. Gray. The property is commonly known to the Agency as the “Cox, Jeffrey and Rhonda” site and is designated with Site Code No. 0250055030. The Agency alleged that on March 3, 2025, respondents violated Sections 21(p)(1), 21(p)(7), and 55(k)(1) of the Environmental Protection Act (Act) (415 ILCS 5/21(p)(1), 21(p)(7), 55(k)(1) (2022)) by causing or allowing the open dumping of waste in a manner resulting in litter and deposition of general construction or demolition debris or clean construction or demolition debris and by causing or allowing water to accumulate in used or waste tires.

On May 7, 2025, the Agency filed a motion to withdraw the administrative citation as to respondents Jeffrey A. Cox and Rhonda E. Cox (Mot.). The motion states that after issuing the administrative citation the Agency “discovered that the property had been quitclaimed from Jeffrey A. Cox and Rhonda E. Cox on May 29, 2024, to Mitchell A. Gray.” Mot. at 1. Because they were no longer owners of the property at the time of its inspection on March 3, 2025, the Agency seeks to withdraw the citation as to Jeffrey A. Cox and Rhonda E. Cox and requests that the Board dismiss this action against them. *Id.* at 1-2.

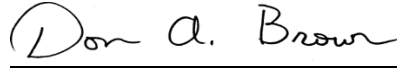
The Board grants the Agency’s motion to withdraw and dismisses this action against Jeffrey A. Cox and Rhonda E. Cox. The caption of this order and subsequent orders in this docket will reflect granting this motion.

The case against Mitchell A. Gray continues. With its motion filed on May 7, 2025, the Agency filed a Certified Mail Receipt showing that it had served the administrative citation on Mitchell A. Gray on April 25, 2025. Under Section 31.1(d) of the Act (415 ILCS 5/31.1(d) (2022)) and Section 108.204(b) of the Board procedural rules (35 Ill. Adm. Code 108.204(b)), to

avoid default, he must file a petition for review with the Board within 35 days after the date of service on or before Friday, May 30, 2025.

IT IS SO ORDERED.

I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on May 15, 2025, by a vote of 5-0.

A handwritten signature in cursive script that reads "Don A. Brown". The signature is written in black ink and is positioned above a horizontal line.

Don A. Brown, Clerk
Illinois Pollution Control Board