

ILLINOIS POLLUTION CONTROL BOARD

October 4, 2001

COUNTY OF MACON,)	
)	
Complainant,)	
)	
v.)	AC 01-38
)	(IEPA No. 01-1)
MACON COUNTY LANDFILL,)	(Administrative Citation)
)	
Respondent.)	

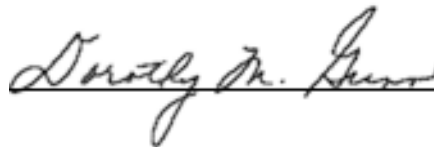
ORDER OF THE BOARD (by C.A. Manning):

On April 16, 2001, the County of Macon (County) filed an administrative citation against Macon County Landfill (Landfill). See 415 ILCS 5/31.1(c) (2000); 35 Ill. Adm. Code 108.202(c). On April 19, 2001, the Board granted the complainant leave to file an amended administrative citation curing various deficiencies, on or before May 24, 2001. On May 21, 2001, the County filed an amended administrative citation. County alleges that Landfill violated Section 21(o)(5) of the Environmental Protection Act (Act) (415 ILCS 5/21(o)(5) (2000)). County further alleges that Landfill violated this provision by conducting a sanitary landfill operation which resulted in uncovered refuse remaining from a previous operating day in the County of Macon.

However, County failed to serve the administrative citation on Landfill within "60 days after the date of the observed violation." 415 ILCS 5/31.1(b) (2000); see also 35 Ill. Adm. Code 108.202(b). The violation was observed on February 15, 2001. County's filing indicated Landfill was served on May 18, 2001. The Board therefore dismisses this case and closes the docket, due to lack of compliance with service requirements of Section 31.1(a) of the Act. See also 35 Ill. Adm. Code 108.402.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on October 4, 2001, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board