

ILLINOIS POLLUTION CONTROL BOARD
January 18, 1996

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
) AC 96-20
Complainant,) (IEPA No. 657-95-AC)
) (Administrative Citation)
v.)
)
JAMES O. WEIR,)
)
Respondent.)

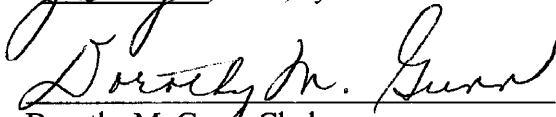
ORDER OF THE BOARD (by J. Theodore Meyer):

This matter comes before the Board on a December 29, 1995 Motion for Reconsideration filed by respondent, James O. Weir (Weir), as well as a January 10, 1996 Motion to Dismiss filed by the Illinois Environmental Protection Agency (Agency). The Agency stated that it failed to timely serve Weir with a copy of the citation in accordance with Section 31.1 of the Illinois Environmental Protection Act and the Board's regulations. The Board hereby grants the Agency's Motion to Dismiss, vacates the Board's December 20, 1995 default order and closes the docket in this matter. Weir's Motion for Reconsideration is therefore moot.

IT IS SO ORDERED.

Section 41 of the Environmental Protection Act (415 ILCS 5/41 (1994)) provides for the appeal of final Board orders within 35 days of the date of service of this order. The Rules of the Supreme Court of Illinois establish filing requirements. (See also 35 Ill. Adm. Code 101.246 "Motions for Reconsideration".)

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 18th day of January, 1996, by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board