

ILLINOIS POLLUTION CONTROL BOARD
November 3, 1994

COUNTY OF MACON,)
)
 Complainant,)
)
 v.) AC 94-68
) (Administrative Citation)
 RUBEN MURRELL,)
)
 Respondent.)

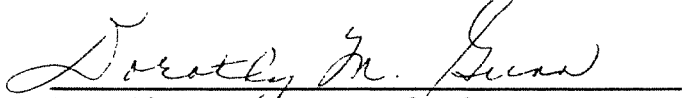
ORDER OF THE BOARD (by C. A. Manning):

This matter is before the Board pursuant to an August 8, 1994 filing of an administrative citation by the County of Macon (County). The Board received on August 29, 1994, a motion filed by the complainant to waive the Board's recycled paper rule at 35 Ill. Adm. Code 101.103(d). As of the date of this order the Board has not received a petition for review from respondent.

The Board on October 6, 1994 in AC 94-66 denied the County's motion to waive the recycled paper rule. The Board sees no reason to waive the recycled paper requirement in this matter. Therefore, the Board denies the motion to waive 35 Ill. Adm. Code 101.103(d). As in AC 94-66, the County's motion to waive the recycled paper rule did not accompany the filing of the citation on non-recycled paper. Macon County has in the past used recycled paper in its filings before the Board and was even the subject of a motion to strike for alleged failure to use recycled paper. (See, Waste Hauling, Inc. v. Macon County Board, PCB 91-223, 132 PCB 105 (April 9, 1992).) Therefore, Macon County was aware of the Board's rule requiring the use of recycled paper when the citation was filed. Because the Board denies the motion to waive the recycled paper rule, the administrative citation is improperly filed and is therefore dismissed. This docket is closed.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, do hereby certify that the above order was adopted on the 3rd day of November, 1994, by a vote of 6-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board