

ILLINOIS POLLUTION CONTROL BOARD
January 23, 1992

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,)
)
v.) AC 91-49
) (IEPA No. 674-91-AC)
WALTER KLOCKENGA,) (Administrative Citation)
)
Respondent.)
)

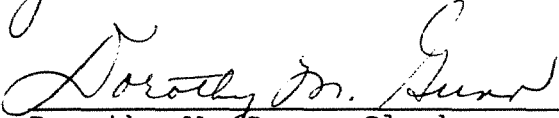
ORDER OF THE BOARD (by J. C. Marlin):

This matter comes before the Board on a January 22, 1992 motion to withdraw and dismiss the administrative citation filed by the Illinois Environmental Protection Agency (Agency). In support of its motion the Agency states that the respondent has passed away. The Agency cites to several Board decisions which hold that the cause of action in an administrative citation does not survive the death of the party. IEPA v. Leon Lamet, AC 89-231, 117 PCB 195, December 20, 1990); IEPA v. Donald and Catherine Bouthot, AC 89-170, 111 PCB 439, May 24, 1990

The Agency's motion to withdraw the administrative citation is granted without prejudice to any future administrative citations. This matter is closed.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 23rd day of January, 1992, by a vote of 5-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board