

ILLINOIS POLLUTION CONTROL BOARD  
March 22, 1990

ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
 )  
Complainant, )  
 )  
v. ) AC 88-90  
 ) (IEPA No. 9212-AC)  
 ) (Administrative Citation)  
JAMES ESAREY, )  
 )  
Respondent. )

ORDER OF THE BOARD (by J. Marlin):

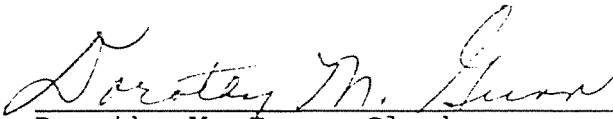
This matter comes before the Board on a March 20, 1990 motion to withdraw complaint after hearing filed by the Illinois Environmental Protection Agency (Agency). In support of its motion the Agency states that after hearing and the filing of Briefs, the respondent negotiated the sale of the landfill that is the subject of this Administrative Citation. The Agency, working with both the buyer and the seller, has agreed that it is in all parties best interest "to bring this case to conclusion without a decision on the merits." The Agency's motion is granted.

This docket is closed.

IT IS SO ORDERED.

J. Dumelle, J. Theodore Meyer and M. Nardulli dissented.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 22<sup>nd</sup> day of March, 1990, by a vote of 4-3.

  
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Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board