

ILLINOIS POLLUTION CONTROL BOARD
April 6, 1989

IN THE MATTER OF:)
)
ESG, WATTS, INC.,) AC 89-63
an Illinois Corporation)
)
Respondent.)

ORDER OF THE BOARD (by J. Marlin):

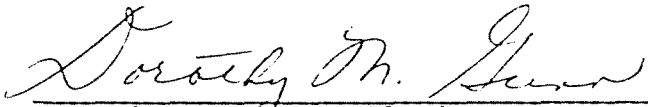
This matter comes before the Board upon a motion to dismiss, filed April 3, 1989 by the Illinois Environmental Protection Agency (Agency). The Agency states the complaint, filed March 22, 1989, was served to an incorrect party. The Agency asserted that it was not made aware of this until after sixty days had passed since the site inspection that gave rise to the action, so that it is not now possible to serve the respondent in accordance with the statutory time constraints under Ill. Rev. Stat. 1987, ch. 111^{1/2}, par. 1031.1.

The Agency's motion is hereby granted and this citation is dismissed.

On April 4, 1989, ESG filed a petition for review of the administrative citation. Given the dismissal of the citation, the petition for review is dismissed as moot. Accordingly, the entire docket 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 6th day of April, 1989, by a vote of 7-0.



Dorothy M. Gunn, Clerk,
Illinois Pollution Control Board