

ILLINOIS POLLUTION CONTROL BOARD
October 2, 2003

CITY OF CHICAGO DEPARTMENT OF ENVIRONMENT,)	
)	
Complainant,)	
)	
v.)	AC 04-7
)	(CDOE No. 03-01-AC)
MARVIN J. WILSON,)	(Administrative Citation)
)	
Respondent.)	

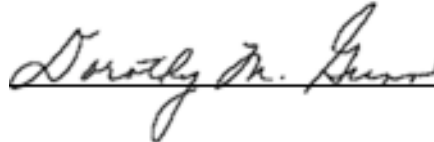
ORDER OF THE BOARD (by T.E. Johnson):

On September 5, 2003, City of Chicago Department of Environment timely filed an administrative citation against Marvin J. Wilson. *See* 415 ILCS 5/31.1(c) (2002); 35 Ill. Adm. Code 108.202(c). At issue is the City of Chicago Department of Environment's allegation that Marvin J. Wilson violated Section 21(p)(1), (p)(3), and (p)(7) of the Environmental Protection Act (415 ILCS 5/21(p)(1), (p)(3), and (p)(7) (2002)). City of Chicago Department of Environment further alleges that Marvin J. Wilson violated these provisions by causing or allowing open dumping of waste in a manner that resulted in litter, open burning of waste, and deposition of general or clean construction or demolition debris at 611 West 51st Street, Chicago, Cook County.

However, City of Chicago Department of Environment states in a September 30, 2003 motion to dismiss, that it failed to serve the administrative citation on Marvin J. Wilson within "60 days after the date of the observed violation." 415 ILCS 5/31.1(b) (2002); *see also* 35 Ill. Adm. Code 108.202(b). The Board therefore dismisses this case and closes the docket. *See* 35 Ill. Adm. Code 108.402.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on October 2, 2003, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board