

ILLINOIS POLLUTION CONTROL BOARD

January 24, 2012

ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Complainant,	)	
	)	
v.	)	AC 13-25
	)	(IEPA No. 287-12-AC)
HUSTLER HAULING, LLC,	)	(Administrative Citation)
	)	
Respondent.	)	

ORDER OF THE BOARD (by T.A. Holbrook):

On December 20, 2012, the Illinois Environmental Protection Agency (Agency) filed an administrative citation against Hustler Hauling, LLC (respondent). *See* 415 ILCS 5/31.1 (2010); 35 Ill. Adm. Code 108. The administrative citation concerns a property located in Bartlett & Gordon's Addition, Lots 1 through 13, Block 6, Hamilton, Hancock County. The property is commonly known to the Agency as the "Farris, Thomas and Heather" site and is designated with Site Code No. 0670405029. The Agency alleged that, on October 25, 2012, respondent violated Sections 21(p)(1), 21(p)(3), and 21(p)(7) of the Environmental Protection Act (415 ILCS 5/21(p)(1), (p)(3), (p)(7) (2010)) by causing or allowing the open dumping of waste in a manner resulting in litter, open burning, and deposition of general construction or demolition debris, or clean construction or demolition debris.

On January 4, 2013, the Agency filed a motion to voluntarily dismiss the administrative citation (Mot.). In the motion, the Agency states that its attempts to serve or deliver the citation did not succeed. Mot. at 1. The Agency states that, "[b]ecause Hustler Hauling, LLC was not timely served within 60 days as required . . . , this Administrative Citation should be dismissed. Mot. at 1, citing 415 ILCS 5/31.1(b) (2010); *see* 35 Ill. Adm. Code 108.202(b). The Board therefore grants the Agency's motion, dismisses this case, and closes the docket. *See* 35 Ill. Adm. Code 108.402.

IT IS SO ORDERED.

I, John T. Therriault, Assistant Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on January 24, 2013, by a vote of 5-0.



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John T. Therriault, Assistant Clerk  
Illinois Pollution Control Board