

ILLINOIS POLLUTION CONTROL BOARD

July 11, 2013

COUNTY OF PERRY,)
)
 Complainant,)
)
 v.) AC 13-47
) (Administrative Citation)
 INDIANA PROPERTIES, INC.,)
)
 Respondent.)

ORDER OF THE BOARD (by C.K. Zalewski):

On May 23, 2013, the County of Perry (County) filed an administrative citation against Indiana Properties, Inc. (IPI). *See* 415 ILCS 5/31.1 (2010); 35 Ill. Adm. Code 108. The administrative citation concerns a property located in Cutler, Perry County. The property is commonly known to the Illinois Environmental Protection Agency as the “Cutler/Indiana Properties, Inc.” site and is designated with Site Code No. 1450055027. The County alleged that on April 15, 2013, IPI violated Sections 21(p)(1), 21(p)(7), and 55(k)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1), 21(p)(7), 55(k)(1) (2010)) by causing or allowing litter, the deposition of construction or demolition debris, and water accumulation in used or waste tires.

On July 1, 2013, the County filed a motion for voluntary dismissal of the administrative citation. In the motion, the County states that it failed to serve the citation on IPI within “60 days after the date of the observed violation.” 415 ILCS 5/31.1(b) (2010); *see also* 35 Ill. Adm. Code 108.202(b). The County also states that “newly-discovered circumstances surrounding this case indicate that it is appropriate to withdraw this Administrative Citation.” Motion at 1. The Board grants the County’s motion, dismisses the case, and closes the docket.

IT IS SO ORDERED.

I, John T. Therriault, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on July 11, 2013, by a vote of 4-0.



John T. Therriault, Clerk
Illinois Pollution Control Board

