

ILLINOIS POLLUTION CONTROL BOARD
August 17, 2006

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	
)	
v.)	AC 06-51
)	(IEPA No. 127-06-AC)
CLIFFORD LAWSON,)	(Administrative Citation)
)	
Respondent.)	

ORDER OF THE BOARD (by A.S. Moore):

On June 15, 2006, the Illinois Environmental Protection Agency (Agency) filed an administrative citation against the respondent, Clifford Lawson. *See* 415 ILCS 5/31.1(c) (2004); 35 Ill. Adm. Code 108.202(c). The Agency alleges that the respondent violated Sections 21(p)(1), 21(p)(3), and 21(p)(7) of the Environmental Protection Act (415 ILCS 5/21(p)(1), 21(p)(3), 21(p)(7) (2004)). The Agency further alleges that the respondent violated these provisions by causing or allowing the open dumping of waste in a manner resulting in litter, open burning, and the deposition of general construction or demolition debris or clean construction or demolition debris at a facility located at 1086 Cordum Avenue, Henderson, Macoupin County.

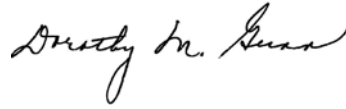
Under the Board's procedural rules, the respondent's "petition to contest must be filed with the Board within 35 days after the date of the service of the AC." 35 Ill. Adm. Code 108.204(b); *see* 415 ILCS 5/31.1(d)(1) (2004). On August 2, 2006, the respondent filed a petition (Pet.) to contest the administrative citation. *See* 415 ILCS 5/31.1(d) (2004); 35 Ill. Adm. Code 108.204(b). Specifically, the respondent "request[s] a review of the Administrative Citation IEPA No. 127-06-AC." Pet. at 1; *see* 35 Ill. Adm. Code 108.204(a).

On August 16, 2006, the Agency filed a motion to withdraw the administrative citation (Mot.). The Agency states that, because it has not filed proof of service of the citation upon the respondent, it cannot be determined whether the respondent timely filed his petition for review. Mot. at 1. The Agency further states that "facts and circumstances discovered since the filing of the Administrative Citation indicate that it is appropriate to withdraw the Administrative Citation at this time." *Id.* Accordingly, the Agency seeks dismissal of this citation. *Id.* at 2.

The Board grants the Agency's request, dismisses this case, and closes the docket.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on August 17, 2006, by a vote of 4-0.

A handwritten signature in cursive script that reads "Dorothy M. Gunn".

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board