

ILLINOIS POLLUTION CONTROL BOARD  
December 21, 2006

COUNTY OF MACON,	)	
	)	
Complainant,	)	
	)	
v.	)	AC 07-20
	)	(County No. 2006-004-AC)
PHILLIP PUGSLEY,	)	(Administrative Citation)
	)	
Respondent.	)	

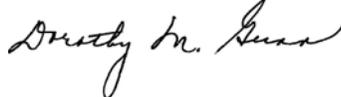
ORDER OF THE BOARD (by G.T. Girard):

On October 16, 2006, the County of Macon (County) filed an administrative citation against respondent Phillip Pugsley. *See* 415 ILCS 5/31.1 (2004); 35 Ill. Adm. Code 108. The administrative citation alleged that Pugsley violated Sections 21(p)(1) and (p)(7) of the Environmental Protection Act (415 ILCS 5/21(p)(1), (p)(7) (2004)) by causing or allowing the open dumping of waste resulting in litter and the deposition of general construction or demolition debris. The violations allegedly took place at Pugsley’s facility located at West Center Street in Macon County. The facility has been designated with Illinois Environmental Protection Agency site code number 1150155537. In its administrative citation, the County sought the fixed statutory penalty of \$1,500 for each alleged violation, for a total civil penalty of \$3,000.

Pugsley did not file a petition with the Board to contest the administrative citation and the record contains no proof of the County’s service of the administrative citation upon Pugsley. *See* 415 ILCS 5/31.1(b), (c), (d)(1) (2004); 35 Ill. Adm. Code 108.202, 108.204. On December 18, 2006, the County filed a letter with the Board stating that the County “received a remittance check for civil penalties totaling \$3,000” from Pugsley on November 16, 2006, and the corresponding remittance form on November 27, 2006. The Board construes the County’s December 18, 2006 letter as a motion to dismiss this administrative citation. In turn, the Board grants the County’s motion, dismisses the administrative citation, 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 December 21, 2006, by a vote of 4-0.



Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board