

ILLINOIS POLLUTION CONTROL BOARD
July 12, 2007

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	
)	
v.)	AC 07-57
)	(IEPA No. 122-07-AC)
BERNARD KOTTER,)	(Administrative Citation)
)	
Respondent.)	

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

On May 9, 2007, the Illinois Environmental Protection Agency (Agency) timely filed an administrative citation against Bernard Kotter (respondent). *See* 415 ILCS 5/31.1(c) (2006); 35 Ill. Adm. Code 108.202(c). The administrative citation concerns a site commonly known as Karnak/Kotter, Bernard with Site Code No. 1530055006, and located at 114 East 5th Street Karnak, Pulaski County. The Agency alleges that respondent violated Section 21(p)(1) of the Act (415 ILCS 5/21(p)(1) (2006)) by open dumping resulting in litter.

On July 9, 2007, the Agency filed a motion to dismiss the administrative citation for lack of timely service on respondent within 60 days of the observed violation. *See* 415 ILCS 5/31.1(b) and 35 Ill. Adm. Code 108.402. The Board grants that motion and dismisses the administrative citation.

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 July 12, 2007, by a vote of 4-0.



John T. Therriault, Assistant Clerk
Illinois Pollution Control Board