

ILLINOIS POLLUTION CONTROL BOARD
May 18, 2017

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	
)	
v.)	AC 17-13
)	(IEPA No. 35-17-AC)
CCMKRMD TRUST and CURT DUSEK,)	(Administrative Citation)
)	
Respondents.)	

ORDER OF THE BOARD (by J.A. Burke):

On February 27, 2017, the Illinois Environmental Protection Agency filed an administrative citation against CCMKRMD Trust and Curt Dusek. *See* 415 ILCS 5/31.1 (2014); 35 Ill. Adm. Code 108. The administrative citation concerns a property located at 1602 North Christ Church Road in Hanna City, Peoria County. The property is commonly known to the Agency as the “CCMKRMD Trust” site and is designated with Site Code No. 1438085017. The Agency alleged that on February 1, 2017, respondents 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) (2014). Respondents allegedly violated these sections by causing or allowing open dumping of waste in a manner resulting in litter, deposition of general construction or demolition debris or clean construction and demolition debris, and causing or allowing water accumulation in used or waste tires.

The Agency has not filed proof of service with the Board that the administrative citation was timely served on respondents. 415 ILCS 5/31.1(b), (c) (2014); 35 Ill. Adm. Code 108.200(b). The Board therefore dismisses this case, and closes the docket. *See* 35 Ill. Adm. Code 108.402.

IT IS SO ORDERED.

Section 41(a) of the Environmental Protection Act provides that final Board orders may be appealed directly to the Illinois Appellate Court within 35 days after the Board serves the order. 415 ILCS 5/41(a) (2014); *see also* 35 Ill. Adm. Code 101.300(d)(2), 101.906, 102.706. Illinois Supreme Court Rule 335 establishes filing requirements that apply when the Illinois Appellate Court, by statute, directly reviews administrative orders. 172 Ill. 2d R. 335. The Board’s procedural rules provide that motions for the Board to reconsider or modify its final orders may be filed with the Board within 35 days after the order is received. 35 Ill. Adm. Code 101.520; *see also* 35 Ill. Adm. Code 101.902, 102.700, 102.702.

I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on May 18, 2017, by a vote of 5-0.

A handwritten signature in black ink that reads "Don A. Brown". The signature is written in a cursive style with a large, circular initial "D".

Don A. Brown, Clerk
Illinois Pollution Control Board