

ILLINOIS POLLUTION CONTROL BOARD
November 20, 2003

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	
)	
v.)	AC 04-9
)	(IEPA No. 498-02-AC)
LARRY LORD,)	(Administrative Citation)
)	
Respondent.)	

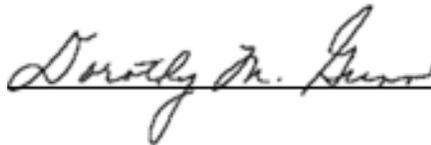
ORDER OF THE BOARD (by T.E. Johnson):

On September 8, 2003, the Illinois Environmental Protection Agency (Agency) timely filed an administrative citation against Larry Lord. *See* 415 ILCS 5/31.1(c) (2002); 35 Ill. Adm. Code 108.202(c). At issue is the Agency's allegation that Larry Lord violated Section 21(p)(1), (p)(5), and (p)(7) of the Environmental Protection Act. 415 ILCS 5/21(p)(1), (p)(5), and (p)(7) (2002). The Agency further alleges that Larry Lord violated these provisions by causing or allowing the open dumping of waste in a manner that resulted in (1) litter; (2) proliferation of disease vectors; and (3) deposition of general construction or demolition debris or clean construction or demolition debris at three miles south of Sparland, off Illinois Route 29, in Marshall County.

However, the Agency states, in a November 7, 2003 motion to dismiss, that it failed to serve the administrative citation on Larry Lord within "60 days after the date of the observed violation." 415 ILCS 5/31.1(b) (2002); *see also* 35 Ill. Adm. Code 108.202(b). The Board therefore dismisses this case and closes the docket. *See* 35 Ill. Adm. Code 108.402.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on November 20, 2003, by a vote of 4-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board