

ILLINOIS POLLUTION CONTROL BOARD  
February 22, 1990

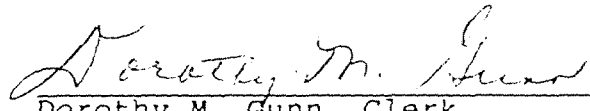
ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
 )  
Complainant, )  
 )  
v. ) AC 89-266  
 ) (IEPA Docket No. 10030-AC)  
 ) (Administrative Citation)  
DARCO, INC., )  
 )  
Respondent. )

ORDER OF THE BOARD (by J. Marlin):

This matter comes before the Board on the Illinois Environmental Protection Agency's (Agency) Motion to Vacate Default Order and Withdraw Complaint filed February 9, 1990. The Motion requests relief from the Board's Order of January 11, 1990 entering default against the Respondent upon the Administrative Citation filed in this matter. As grounds, the Agency alleges that service in this proceeding was defective, having been effected upon a tenant/lessee of Respondent and not upon the proper party or registered agent. These matters are all sworn to by Affidavit. Given that service of the Agency's Administrative Citation is shown to be defective, the Motion is granted. The Board's Order of January 11, 1990 is hereby vacated and this matter is dismissed.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 22<sup>nd</sup> day of February, 1990, by a vote of 7-0.

  
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Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board