

ILLINOIS POLLUTION CONTROL BOARD  
September 27, 1990

ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
 )  
Complainant, )  
 )  
v. ) AC 90-55  
 ) (IEPA Case No. 294-90-AC)  
 ) (Administrative Citation)  
LINDELL LOVELESS, )  
 )  
Respondent. )

ORDER OF THE BOARD BY (J. C. Marlin):

~~-----~~This matter is before the Board on the respondent's letter of September 25, 1990, which the Board construes as a motion to vacate the Default Order entered in this matter on August 30, 1990.

The Board wishes to receive further information about this matter since it has similarities to other cases where the AC process and other compliance initiatives were used concurrently. The Agency is hereby ordered to have its response to respondent's motion on file in the Board's offices by October 17, 1990, in order that the Board may consider this matter at its October 25, 1990 meeting. The Agency's response should include the following information:

- 1) a statement of the facts concerning this matter; including a chronology of the contacts between the respondent and Agency personnel, a brief description of what transpired during each contact, and whether there was any discussion of settling the matter and withdrawing the citation,
- 2) copies of all written correspondence between the respondent and the Agency relating to this event, specifically whether the Agency received any appeal from the respondent which could have considered a timely filed petition for review, had it been filed with the Board.
- 3) a statement as to whether or not the offending situation has been settled, cleaned up, rectified, or otherwise resolved,
- 4) any comments concerning disposition of the petition in light of the material attached to the letter stating that the respondent is allowed to treat, store, and dispose of certain waste at his disposal site without an Agency


permit, and

- 5) any other information which the Agency believes to be pertinent to the Board's deliberations.

IT IS SO ORDERED.

J. Theodore Meyer dissented.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 27th day of September, 1990, by a vote of 6-1.

  
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Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board