

ILLINOIS POLLUTION CONTROL BOARD
April 19, 2001

SANGAMON COUNTY,)	
)	
Complainant,)	
)	
v.)	AC 01-16
)	(SCDPH 00-AC-1)
EVERETT DAILY,)	AC 01-17
)	(SCDPH 00-AC-2)
Respondent.)	(Administrative Citation)
)	(Consolidated)

ORDER OF THE BOARD (by C.A. Manning):

On November 16, 2000, pursuant to Section 31.1(b) of the Environmental Protection Act (Act) (415 ILCS 5/31.1(b) (1998)), the County of Sangamon issued the above-captioned administrative citations to Everett Daily (Daily). The administrative citations allege that the respondent caused or allowed the open dumping of waste and construction or demolition debris. These activities were in alleged violation of Sections 21(p)(1) and (p)(7) of the Act (415 ILCS 5/21(p)(1), (p)(7) (1998), as amended by Pub. Act 91-72, eff. July 9, 1999). The alleged violations occurred at 341 North Park, Rochester, Sangamon County, Illinois.

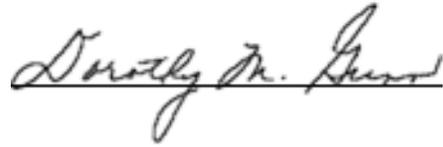
On December 18, 2000, Daily filed petitions for review of the administrative citations pursuant to Section 31.1(d). 415 ILCS 5/31.1(d) (1998). The Board accepted these matters for hearing on December 21, 2000, and directed that these matters proceed to hearing as expeditiously as practicable. On March 1, 2001, the Board consolidated these administrative citations.

On March 21, 2001, Daily filed a motion for judgment on the pleadings, which was mailed on March 16, 2001. The County of Sangamon did not file a response.

The Board denies Daily's motion for judgment on the pleadings. Daily is free to present evidence at hearing to reassert and support the claims its motion raises.

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 19th day of April 2001 by a vote of 6-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", written over a horizontal line.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board