

ILLINOIS POLLUTION CONTROL BOARD  
December 20, 1990

COUNTY OF JACKSON, )  
 )  
 Complainant, )  
 )  
 v. ) AC 90-88  
 ) (County Case No. None )  
 ) (Administrative Citation)  
 EVERETT ALLEN d/b/a/  
 ALLEN WASTE MANAGEMENT, )  
 )  
 )  
 Respondent. )

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

The County of Jackson (County) filed this administrative citation with the Board on November 9, 1990. The Respondent, Everett Allen, did not file a petition for review. The Board has discovered that the administrative citation is deficient in that the County's administrative citation failed to specify the provision of Section 21 which respondent was alleged to violate.

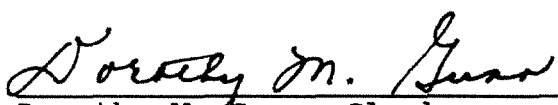
Section 31.1 of the Environmental Protection Act (Act) governs the issuance of administrative citations. Section 31.1(b) states that "each such citation issued . . . shall include the following information:

- 1. a statement specifying the provisions of subsection (p) or (q) of Section 21 of which the person was observed to be in violation;"

The Board is unable to issue an order finding the respondent to be in violation of the Act when the County has not cited the sections of the Act which were allegedly violated. Therefore, the Board hereby dismisses this administrative citation.

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 20<sup>th</sup> day of December, 1990, by a vote of 7-0.

  
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Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board