

ILLINOIS POLLUTION CONTROL BOARD
July 11, 2002

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	
)	
v.)	AC 02-59
)	(IEPA No.243-02-AC)
JASON HARI and CANADIAN)	(Administrative Citation)
NATIONAL/ILLINOIS CENTRAL)	
RAILROAD,)	
)	
Respondents.)	

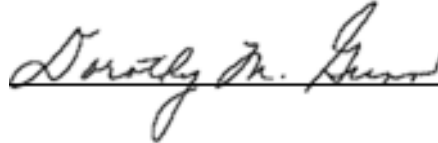
ORDER OF THE BOARD (by C.A. Manning):

On June 3, 2002, the Illinois Environmental Protection Agency (Agency) timely filed an administrative citation against Jason Hari and Canadian National/Illinois Central Railroad (respondents). *See* 415 ILCS 5/31.1(c) (2000); 35 Ill. Adm. Code 108.202(c). The Agency alleges that respondents violated Sections 21(p)(1), (p)(3), and (p)(7) of the Environmental Protection Act (415 ILCS 5/21(p)(1), (p)(3), (p)(7) (2000)). The Agency further alleges that respondents violated these provisions by causing or allowing the open dumping of waste in a manner resulting in litter, open burning, and deposition of general construction or demolition debris. The citation concerns a facility on the southeast corner of county roads 500N and 1945E (Market Street), Paxton, Ford County.

On June 20, 2002, the Agency filed a motion to withdraw this administrative citation. The Agency asserts that it failed to serve the administrative citation on respondent Jason Hari within "60 days after the date of the observed violation." 415 ILCS 5/31.1(b) (2000); *see also* 35 Ill. Adm. Code 108.202(b). Further, the Agency states that newly discovered circumstances surrounding this case indicate that it is appropriate to withdraw the administrative citation against both respondents. The Board grants the Agency's motion, and accordingly 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 July 11, 2002, by a vote of 5-0.

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

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board