

ILLINOIS POLLUTION CONTROL BOARD
September 4, 1987

IN THE MATTER OF:)
)
THE VILLAGE OF RANTOUL, a) AC 86-16
Municipal Corporation in) IEPA 8187 - AC
State of Illinois)

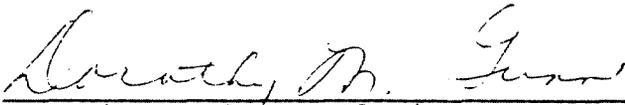
ORDER OF THE BOARD (by J.D. Dumelle):

This matter comes before the Board upon an August 27, 1987, motion to dismiss filed by the Illinois Environmental Protection Agency (Agency). The Agency originally filed the Administrative Citation on December 15, 1986, and served the Respondent on the same date. The Administrative Citation contained allegations of violations of Sections 21(p)(5), 21(p)(9), and 21(p)(12) of the Environmental Protection Act (Act). The Respondent acknowledged violations of Sections 21(p)(5) and 21(p)(12), and paid the statutory civil penalty. The Respondent filed a petition for review with respect to the alleged violation of Section 21(p)(9) of the Act. Hearing on the Respondent's petition for review was held July 7, 1987. During hearing, Respondent produced a permit issued by the Agency's Division of Water Pollution Control. The Agency states in its August 27 motion that the Administrative Citation was brought by its Division of Land Pollution Control and that the Agency representative pursuing this action was unaware of the Water Pollution Control Permit. The Agency contends that had the Division of Land Pollution Control been aware of the permit, the Agency would not have alleged the violation which was the subject of the hearing of July 7, 1987. The Agency, therefore, now moves for dismissal.

The Agency's motion is hereby granted. As the Respondent has paid its statutory civil penalties, this proceeding 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 4th day of September, 1987 by a vote of 6-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board