

ILLINOIS POLLUTION CONTROL BOARD  
November 20, 2003

ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Complainant,	)	
	)	
v.	)	AC 04-12
	)	(IEPA No. 503-03-AC)
TULLEY ROBINSON,	)	(Administrative Citation)
	)	
Respondent.	)	

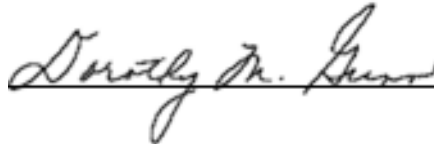
ORDER OF THE BOARD (by T.E. Johnson):

On September 18, 2003, Illinois Environmental Protection Agency (Agency) timely filed an administrative citation against Tulley Robinson. *See* 415 ILCS 5/31.1(c) (2002); 35 Ill. Adm. Code 108.202(c). At issue is the Agency's allegation that Tulley Robinson violated Section 21(p)(1) of the Environmental Protection Act. 415 ILCS 5/21(p)(1) (2002). The Agency further alleges that Tulley Robinson violated this provision by causing or allowing the open dumping of waste in a manner that resulted in litter at 840 Berryville Road, Jonesboro, Union County.

However, the Agency states, in a November 7, 2003 motion to dismiss, that it failed to serve the administrative citation on Tulley Robinson within "60 days after the date of the observed violation." 415 ILCS 5/31.1(b) (2002); *see also* 35 Ill. Adm. Code 108.202(b). The Board therefore 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 November 20, 2003, by a vote of 4-0.



Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board