

ILLINOIS POLLUTION CONTROL BOARD
March 1, 2001

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	
)	
v.)	AC 01-26
)	(IEPA No. 010-01-AC)
JACK BUSBY,)	(Administrative Citation)
)	
Respondent.)	

ORDER OF THE BOARD (by E.Z. Kezelis):

On January 22, 2001, pursuant to Section 31.1(b) of the Environmental Protection Act (Act) (415 ILCS 5/31.1(b) (1998)), the Illinois Environmental Protection Agency (Agency) issued an administrative citation to Jack Busby (Busby). The administrative citation alleges that Busby caused or allowed the open dumping of waste in a manner that resulted in open burning. This activity was in alleged violation of Section 21(p)(3) of the Act (415 ILCS 5/21(p)(3) (1998), as amended by Pub. Act 91-72, eff. July 9, 1999). The Agency seeks a \$3,000 civil penalty.¹ The alleged violation occurred at a site located in Salem, Marion County, Illinois.

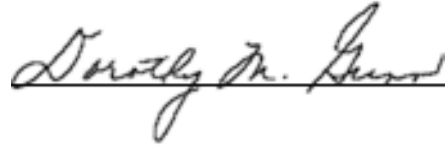
On February 14, 2001, Busby filed a petition for review of the administrative citation. The Board accepts this matter for hearing.

The Board directs that this matter proceed to hearing as expeditiously as practicable. The assigned hearing officer must set the matter for hearing in accordance with the requirements of the Act and the Board's procedural rules.

IT IS SO ORDERED.

¹ On September 21, 2000, the Board entered a finding that Busby violated Sections 21(p)(1) and (p)(5) of the Act (415 ILCS 5/21(p)(1), (p)(5) (1998)). See IEPA v. Busby (September 21, 2000), AC 01-6. The Board reminds Busby that, pursuant to Section 42(b)(4-5) of the Act (415 ILCS 5/42(b)(4-5) (1998)), Busby may be subject to a civil penalty of \$3,000 for a second or subsequent offense of Section 21(p) of the Act, as well as any hearing costs incurred by the Board or the Agency.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 1st day of March 2001 by a vote of 7-0.

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

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board