

ILLINOIS POLLUTION CONTROL BOARD  
August 31, 1989


ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
                          ) Petitioner, )  
                          ) )  
                          ) v. ) AC 87-93 )  
                          ) ) IEPA No. 8564-AC )  
                          ) )  
RUSSEL NOEL, )  
                          ) )  
                          ) Respondent. )

ORDER OF THE BOARD (by J. Anderson):

This matter comes before the Board upon a motion to dismiss filed by the Illinois Environmental Protection Agency ("Agency") on August 11, 1989. In support of its motion, the Agency states that since the administrative citation issued to the respondent was for an unpermitted dump, it is governed by IEPA v. Prennall, AC 87-6, (5th Dist. No. 5-88-0035, July 21, 1989). The Agency states that this ruling requires dismissal of the citation issued to the respondent. The Agency's motion is granted and this matter 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 31<sup>st</sup> day of August, 1989, by a vote of 6-0.

  
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Dorothy M. Gunn, Clerk,  
Illinois Pollution Control Board