

ILLINOIS POLLUTION CONTROL BOARD
July 11, 1991

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,)
)
v.) AC 91-28
) (IEPA Case No.252-91-AC)
) (Administrative Citation)
GEORGE RIBBLE,)
)
Respondent.)

ORDER OF THE BOARD BY (J. C. Marlin):

This matter comes before the Board on a June 14, 1991 filing of an administrative citation package by the Illinois Environmental Protection Agency (Agency). The administrative citation was issued pursuant to an April 10, 1991 inspection. The Agency mailed the Administrative Citation package via certified mail, return receipt requested, to the respondent on June 7, 1991. Respondent refused to accept delivery of the certified mail package.

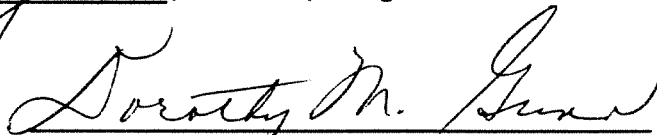
Section 31.1 of the Environmental Protection Act provides that the Agency

"may issue and serve an administrative citation upon such person within not more than 60 days after the date of the observed violations. Each such citation issued shall be served upon the person named therein or such person's authorized agent for service of process."

The Board requests that the Agency and the respondent brief the questions of 1) whether or not the administrative citation was properly served upon the respondent within 60 days as required by statute and 2) whether or not the Board has jurisdiction over this matter. The parties briefs are to be filed in the Board's office no later than August 2, 1991.

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 11th day of July, 1991, by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board