

ILLINOIS POLLUTION CONTROL BOARD
August 18, 2005

COUNTY OF JACKSON,)	
)	
Complainant,)	
)	
v.)	AC 05-76
)	(County Site Code 077 810 5010)
GARY CLOVER,)	(Administrative Citation)
)	
Respondent.)	

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

On June 3, 2005, the County of Jackson (County) timely filed an administrative citation against Gary Clover (Clover). *See* 415 ILCS 5/31.1(c) (2004); 35 Ill. Adm. Code 108.202(c). The County alleges that on April 18, 2005, Clover violated Section 21(p)(1) and (p)(7) of the Environmental Protection Act (415 ILCS 5/21(p)(1) and (p)(7) (2004)). The County further alleges that Clover violated these provisions by causing or allowing the open dumping of waste in a manner that resulted in (1) litter and (2) deposition of general construction or demolition debris or clean construction or demolition debris at 1336 Hoffman Road, Murphysboro, Jackson County.

On June 24, 2005, Clover timely filed a petition to contest the administrative citation. *See* 415 ILCS 5/31.1(d) (2004); 35 Ill. Adm. Code 108.204(b). Clover asserts no basis for his petition to review the administrative citation. *See* 35 Ill. Adm. Code 108.206. The Board accepted the petition for hearing on July 7, 2005.

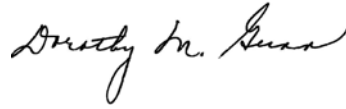
During a status conference on August 9, 2005, the parties asserted that the site is clean, and that the County intended to file a motion to voluntarily dismiss the proceeding. On August 15, 2005, the County filed a motion to withdraw and dismiss the administrative citation.

In the motion to withdraw, the County asserts that an August 8, 2005 inspection showed the site had been cleaned, and was in general compliance with the open dumping laws. Mot. at 1. The County asks that the citation be withdrawn and dismissed, and that the proceeding be closed.

The Board grants the motion. The administrative citation is dismissed and the docket is closed.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on August 18, 2005, by a vote of 4-0.

A handwritten signature in cursive script that reads "Dorothy M. Gunn".

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board