

ILLINOIS POLLUTION CONTROL BOARD
February 8, 1990

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| ILLINOIS ENVIRONMENTAL |) | |
| PROTECTION AGENCY, |) | |
| |) | |
| Complainant, |) | AC 89-198 |
| |) | (IEPA Docket No. 9873-AC) |
| v. |) | (Administrative Citation) |
| |) | |
| GENERAL IRON INDUSTRIES, INC., |) | |
| |) | |
| Respondent. |) | |

ORDER OF THE BOARD (by J.D. Dumelle):

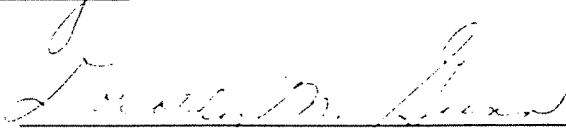
This matter comes before the Board upon a February 5, 1990 motion to withdraw complaint and dismiss action filed by the Illinois Environmental Protection Agency (Agency). The Agency states that, based upon the results of an analysis of certain samples taken from the area of alleged open dumping, it does not believe that this is a proper case for the administrative citation process and requests dismissal.

The Respondent, General Iron Industries, Inc., filed on February 5, 1990 its objection to the Agency's motion. The Respondent notes in this filing that the Agency's motion is unsupported by affidavit, in violation of 35 Ill. Adm. Code 103.140(b).

Unless the Agency files, before February 20, 1990, the appropriate affidavit in accordance with 35 Ill. Adm. Code 103.140(b), this motion will be subject to automatic denial.

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 8th day of February, 1988 by a vote of 7-0.



 Dorothy M. Gunn, Clerk
 Illinois Pollution Control Board