

ILLINOIS POLLUTION CONTROL BOARD
February 16, 2006

COUNTY OF JACKSON,)	
)	
Complainant,)	
)	
v.)	AC 06-21
)	(County No. 077 803 5009)
DAN KIMMEL,)	(Administrative Citation)
)	
Respondent.)	

ORDER OF THE BOARD (by A.S. Moore):

On January 30, 2006, the County of Jackson timely filed an administrative citation against Dan Kimmel. *See* 415 ILCS 5/31.1(c) (2004); 35 Ill. Adm. Code 108.202(c). Jackson County alleges that Kimmel violated Sections 21(p)(1) and 21(p)(7) of the Environmental Protection Act (415 ILCS 5/21(p)(1), 21(p)(7) (2004)). Jackson County further alleges that Kimmel violated these provisions on December 7, 2005, by causing or allowing the open dumping of waste resulting in litter and in the deposition of general construction or demolition debris or clean construction or demolition debris at 1065 Dumaroc Road, DeSoto, Jackson County.

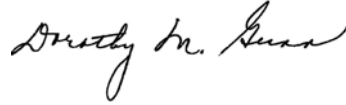
As required, Jackson County served the administrative citation on Kimmel on January 24, 2006 within "60 days after the date of the observed violation." 415 ILCS 5/31.1(b) (2004); *see also* 35 Ill. Adm. Code 108.202(b). On February 2, 2006, Kimmel timely filed with the Board a letter that the Board has construed as a petition to contest the administrative citation. *See* 415 ILCS 5/31.1(d) (2004); 35 Ill. Adm. Code 108.204(b).

The Board accepts the petition for Kimmel's appeal as timely filed, pursuant to 35 Ill. Adm. Code 108.204(b) (setting 35-day deadline for filing). However, the Board finds that the petition does not satisfy the content requirements of the Board's procedural rules because it does not include any reason why Kimmel believes the citation was improperly issued. *See* 35 Ill. Adm. Code 108.206.

The Board directs Kimmel to file an amended petition for review specifying the reason or reasons why he believes the citation was improperly issued. *See* 35 Ill. Adm. Code 108.206. If Kimmel does not file an amended petition within 30 days of the date of this order, this petition will be dismissed.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on February 16, 2006, 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