

ILLINOIS POLLUTION CONTROL BOARD

June 20, 2013

|                        |   |                           |
|------------------------|---|---------------------------|
| ILLINOIS ENVIRONMENTAL | ) |                           |
| PROTECTION AGENCY      | ) |                           |
|                        | ) |                           |
| Complainant,           | ) |                           |
|                        | ) |                           |
| v.                     | ) | AC 13-54                  |
|                        | ) | (IEPA No. 123-13-AC)      |
| GLAY McMILLEN,         | ) | (Administrative Citation) |
|                        | ) |                           |
| Respondent.            | ) |                           |

ORDER OF THE BOARD (by T.A. Holbrook):

On June 4, 2013, the Illinois Environmental Protection Agency (Agency) filed an administrative citation against Glay McMillen. *See* 415 ILCS 5/31.1 (2010); 35 Ill. Adm. Code 108. The administrative citation concerns a property located in Shelby County.<sup>1</sup> The property is commonly known to the Agency as the “Findlay/McMillen” site and is designated with Site Code No. 1768115003. The Agency alleged that on April 11, 2013, Mr. McMillen violated Section 21(p)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1) (2010)) by causing or allowing the open dumping of waste in a manner resulting in litter.

On June 17, 2013, the Agency filed a motion to voluntarily dismiss the administrative citation. In the motion, the Agency states that it failed to serve the administrative citation on Mr. McMillen within “60 days after the date of the observed violation.” 415 ILCS 5/31.1(b) (2010); *see also* 35 Ill. Adm. Code 108.202(b). The Board therefore grants the Agency’s motion, dismisses this case, and closes the docket. *See* 35 Ill. Adm. Code 108.402.

IT IS SO ORDERED.

I, John T. Therriault, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on June 20, 2013, by a vote of 5-0.



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John T. Therriault, Clerk  
Illinois Pollution Control Board

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<sup>1</sup> The administrative citation refers several times to the property as being located in Shelby County, but in one instance refers to the property as being located in Rock Island County.