

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

RECEIVED  
CLERK'S OFFICE  
SEP 16 2013  
STATE OF ILLINOIS  
Pollution Control Board

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY,

Complainant,

v.

LOIS AND VIRGIL MELVIN,

Respondents.

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AC

14-11

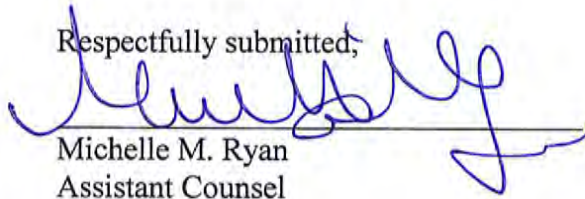
(IEPA No. 223-13-AC)

**NOTICE OF FILING**

To: Virgil and Lois Melvin  
7388 Faust Lane  
Rockford, IL 61109

PLEASE TAKE NOTICE that on this date I mailed for filing with the Clerk of the Pollution Control Board of the State of Illinois the following instrument(s) entitled MOTION TO DISMISS ADMINISTRATIVE CITATION.

Respectfully submitted,



Michelle M. Ryan  
Assistant Counsel

Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276  
(217) 782-5544

Dated: September 10, 2013

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Pollution Control Board

ADMINISTRATIVE CITATION

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LOIS AND VIRGIL MELVIN, )  
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AC 14-11  
(IEPA No. 223-13-AC)

MOTION TO DISMISS  
ADMINISTRATIVE CITATION

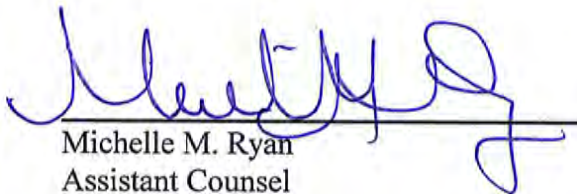
NOW COMES the Complainant, the Illinois Environmental Protection Agency ("Illinois EPA"), by and through its attorney, Assistant Counsel Michelle M. Ryan, pursuant to 35 Ill. Adm. Code 108.402, and respectfully states as follows:

- (1) On August 26, 2013, the Illinois EPA issued an Administrative Citation to Respondents Lois and Virgil Melvin, based on an inspection conducted on July 11, 2013.
- (2) On September 6, 2013, the Administrative Citation was sent back to the Illinois EPA from the United States Postal Service, as unclaimed and unable to forward.
- (3) Because Lois and Virgil Melvin were not timely served within 60 days as required by 415 ILCS 5/31.1(b), this Administrative Citation should be dismissed.

WHEREFORE, the Illinois Environmental Protection Agency requests that the Board dismiss the pending action against Lois and Virgil Melvin.

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY,  
Complainant,

DATED: September 10, 2013



Michelle M. Ryan  
Assistant Counsel

Illinois Environmental Protection Agency  
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STATE OF ILLINOIS  
Pollution Control Board

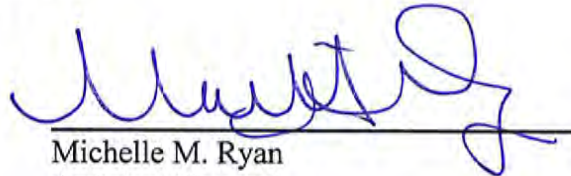
**PROOF OF SERVICE**

I hereby certify that I did on the 10th day of September 2013, send by U.S. Mail, with postage thereon fully prepaid, by depositing in a United States Post Office Box a true and correct copy of the following instrument(s) entitled MOTION TO DISMISS ADMINISTRATIVE CITATION

To: Virgil and Lois Melvin  
7388 Faust Lane  
Rockford, IL 61109

and the original and nine (9) true and correct copies of the same foregoing instruments on the same date by U.S. Mail, with postage thereon fully prepaid

To: John Therriault, Clerk  
Pollution Control Board  
James R. Thompson Center  
100 West Randolph Street, Suite 11-500  
Chicago, Illinois 60601



Michelle M. Ryan  
Assistant Counsel

Illinois Environmental Protection Agency  
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