

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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CLERK'S OFFICE

APR 29 2010

STATE OF ILLINOIS
Pollution Control Board

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,)
)
v.)
)
JEFF DOOLEY,)
)
Respondent.)

AC 10-22
(IEPA No. 111-10-AC)

NOTICE OF FILING

To: Jeff Dooley, Owner
Seven Hickory Estates
17336 E 1400 N, Lot 13
Charleston, IL 61920

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.

Respectfully submitted,

Michelle M. Ryan by WDT
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: April 26, 2010

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
ADMINISTRATIVE CITATION

RECEIVED
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APR 29 2010
STATE OF ILLINOIS
Pollution Control Board

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
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AC 10-22

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MOTION TO DISMISS
ADMINISTRATIVE CITATION

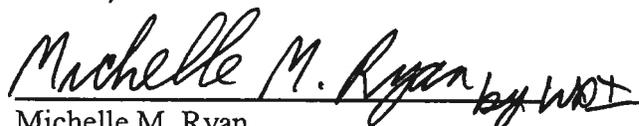
NOW COMES the Complainant, the Illinois Environmental Protection Agency ("Illinois EPA"), by and through its attorney, Special Assistant Attorney General Michelle M. Ryan, pursuant to 35 Ill. Adm. Code 108.402, and respectfully states as follows:

- (1) On March 29, 2010, the Illinois EPA issued an Administrative Citation to Respondent Jeff Dooley, based on an inspection conducted on February 19, 2010.
- (2) On April 16, 2010, the Administrative Citation was sent back to the Illinois EPA from the United States Postal Service, as unclaimed. Additionally, on April 21, 2010, Deanna Carlock, a field inspector employed by the Land Pollution Control Division of the Illinois Environmental Protection Agency, attempted hand delivery of the Administrative Citation to Respondent, Jeff Dooley. This attempt was unsuccessful.
- (3) Because Jeff Dooley was 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 Jeff Dooley.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,
Complainant,

DATED: April 26, 2010


Michelle M. Ryan
Special Assistant Attorney General

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

PROOF OF SERVICE

I hereby certify that I did on the 26th day of April 2010, send by Certified Mail, Return Receipt Requested, 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

To: Jeff Dooley, Owner
Seven Hickory Estates
17336 E 1400N, Lot 13
Charleston, IL 61920

and the original and nine (9) true and correct copies of the same foregoing instruments on the same date by Certified Mail, Return Receipt Requested, 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~~ *William D. Ingersoll*
Assistant Counsel

Illinois Environmental Protection Agency
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