

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,) AC 10-10
)
v.) (IEPA No. 294-09-AC)
)
JESS SPRADLIN, d/b/a SPRADLIN MOTOR)
HOMES, and DREWNARD WOODS AND)
KRIS WARREN, d/b/a W&W AUTO)
SERVICE,)
)
Respondents.)

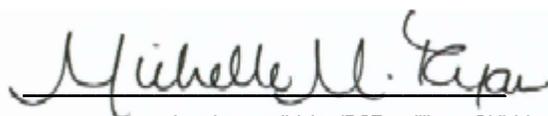
NOTICE OF FILING

To: Jess Spradlin
d/b/a Spradlin Motor Homes
1034 E. Morton Ave.
Jacksonville, IL 62650-3302

Drewnard Woods and Kris Warren
d/b/a W&W Auto Service
1709 Dirksen Parkway
Springfield, IL 62702

PLEASE TAKE NOTICE that on this date I electronically filed with the Clerk of the Pollution Control Board of the State of Illinois the following instrument(s) entitled MOTION TO DISMISS RESPONDENT JESS SPRADLIN d/b/a SPRADLIN MOTOR HOMES AND FOR FINAL ORDER.

Respectfully Submitted,



e-signature valid for IPCB e-filings ONLY
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

Dated: May 19, 2011

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	AC 10-10
)	
v.)	(IEPA No. 294-09-AC)
)	
JESS SPRADLIN, d/b/a SPRADLIN)	
MOTOR HOMES, and DREWNARD)	
WOODS AND KRIS WARREN, d/b/a)	
W&W AUTO SERVICE,)	
)	
Respondents.)	

MOTION TO DISMISS RESPONDENT
JESS SPRADLIN d/b/a SPRADLIN MOTOR HOMES
AND FOR FINAL ORDER

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 101.500, and respectfully states as follows:

(1) On December 1, 2009, Illinois EPA filed an Administrative Citation against Respondents JESS SPRADLIN, d/b/a SPRADLIN MOTOR HOMES (“SPRADLIN”), and DREWNARD WOODS AND KRIS WARREN, d/b/a W&W AUTO SERVICE (“WOODS and WARREN”), based on an inspection conducted on October 5, 2009.

(2) On January 6, 2010, Respondent SPRADLIN filed a timely Petition for Review. An amended Petition for Review was also filed on February 24, 2010.

(3) On May 4, 2010, the Board entered an order accepting the amended Petition for Review filed by Respondent SPRADLIN and finding Respondents WOODS and WARREN in

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default. The order also held that Respondents WOODS and WARREN had committed the violations as alleged in the Administrative Citation: Sections 21(p) (1) and 55(k) (1) of the Act (415 ILCS 5/21(p) (1), 5/55 (k) (1) (2008)). However, the Board withheld final order as to Respondents WOODS and WARREN until the Board made a final decision concerning SPRADLIN.

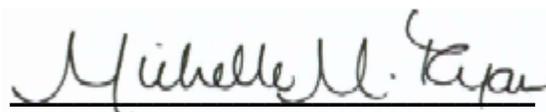
(4) Based on newly-discovered circumstances surrounding this case, Illinois EPA believes that it is now appropriate to dismiss this Administrative Citation against Respondent SPRADLIN.

(5) If the Board were to grant this motion to dismiss Respondent SPRADLIN, Respondents WOODS and WARREN would be the only remaining Respondents and no impediment to immediate final order would exist.

WHEREFORE, the Illinois Environmental Protection Agency requests that the Board dismiss the pending action against Respondent JESS SPRADLIN d/b/a SPRADLIN MOTOR HOMES and enter a final order against DREWNARD WOODS AND KRIS WARREN, d/b/a W&W AUTO SERVICE pursuant to Section 31.1(d)(1) of the Act.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,
Complainant

DATED: May 19, 2011



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Michelle M. Ryan
Special Assistant Attorney General

Illinois Environmental Protection Agency
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P.O. Box 19276
Springfield, Illinois 62794-9276
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PROOF OF SERVICE

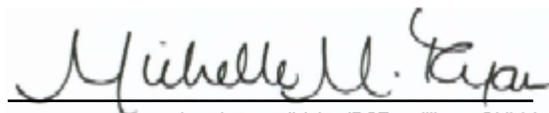
I hereby certify that I did on the 19th day of May 2011, send by U.S. Mail with postage thereon fully prepaid, by depositing in a United States Post Office Box a true and correct copy of the following instrument(s) entitled MOTION TO DISMISS RESPONDENT JESS SPRADLIN d/b/a SPRADLIN MOTOR HOMES AND FOR FINAL ORDER

To: Jess Spradlin
d/b/a Spradlin Motor Homes
1034 E. Morton Ave.
Jacksonville, IL 62650-3302

Drewnard Woods and Kris Warren
d/b/a W&W Auto Service
1709 Dirksen Parkway
Springfield, IL 62702

and the original of the same foregoing instrument on the same date by electronic filing

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



e-signature valid for IPCB e-filings ONLY

Michelle M. Ryan
Special Assistant Attorney General

Illinois Environmental Protection Agency
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