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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD SEP 30 2003

STATE OF ILLINOIS
Pollution Control Board

CITY OF CHICAGO DEPARTMENT)
OF ENVIRONMENT,)

Complainant,)

v.)

MARVIN J. WILSON)

Respondent.)

AC 04-7
(CDOE No. 03-01-AC)

**MOTION TO DISMISS
ADMINISTRATIVE CITATION**

NOW COMES the Complainant, the City of Chicago Department of Environment ("CDOE"), by and through its attorney, Mara S. Georges, Corporation Counsel for the City of Chicago, pursuant to 35 Ill. Adm. Code 108.402, and respectfully states as follows:

(1) On September 5, 2003, CDOE issued an Administrative Citation to Respondent Marvin J. Wilson, based on an inspection conducted on July 29, 2003.

(2) CDOE was unable to achieve service of the Administrative Citation within the 60-day time limit.

(3) Because Marvin J. Wilson was not timely served within 60 days as required by 415 ILCS 5/31.1(b), this Administrative Citation must be dismissed.

WHEREFORE, CDOE requests that the Illinois Pollution Control Board dismiss the pending action against Respondent Marvin J. Wilson.

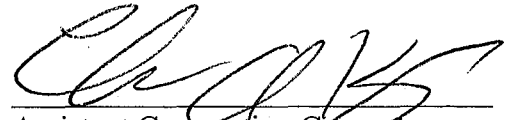
DATED: 9/30/03

Respectfully submitted,

CHICAGO DEPARTMENT
OF ENVIRONMENT

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