

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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STATE OF ILLINOIS
Pollution Control Board

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,)
)
v.)
)
LARRY LORD,)
)
Respondent.)

AC 2004-009

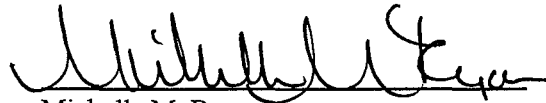
(IEPA No. 498-03-AC)

NOTICE OF FILING

To: Larry Lord
216 Prairie Street
Lacon, Illinois 61540

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
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: November 5, 2003

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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STATE OF ILLINOIS
Pollution Control Board

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 September 4, 2003, Illinois EPA issued an Administrative Citation to Respondent Larry Lord, based on an inspection conducted on July 11, 2003.
- (2) On October 6, 2003, the Administrative Citation package that had been sent to Respondent by certified mail was returned unclaimed.
- (3) Because Larry Lord 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 Respondent Larry Lord.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,
Complainant,

DATED: November 5, 2003



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 5th day of November, 2003, 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

To: Larry Lord
216 Prairie Street
Lacon, Illinois 61540

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



Michelle M. Ryan
Special Assistant Attorney General

Illinois Environmental Protection Agency
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