

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	AC 07-29
)	
v.)	(IEPA No. 372-06-AC)
)	
GERE PROPERTIES, INC., PERRY RIDGE)	
LANDFILL, INC. and MIKE)	
WHITLOCK)	
)	
)	
Respondent.)	

NOTICE OF FILING

To: GERE Properties, Inc.	Perry Ridge Landfill, Inc.
Stephanie Chodera, Agent	Stephanie Chodera, Agent
290 South Main Place	290 South Main Place
Carol Stream, Illinois 60188-2476	Carol Stream, Illinois 60188-2476
 Michael Whitlock	
6205 Sacred Heart Road	
DuQuoin, Illinois 62832	

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 RESPONDENTS GERE PROPERTIES, INC. AND PERRY RIDGE LANDFILL, INC.

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: February 15, 2007

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	AC 07-29
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v.)	(IEPA No. 372-06-AC)
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GERE PROPERTIES, INC., PERRY RIDGE)	
LANDFILL, INC. and MIKE)	
WHITLOCK)	
)	
Respondents.)	

MOTION TO DISMISS RESPONDENTS
GERE PROPERTIES, INC.
AND PERRY RIDGE LANDFILL, INC.

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 December 21, 2006, Illinois EPA issued an Administrative Citation to Respondents Mike Whitlock, GERE Properties, Inc. and Perry Ridge Landfill, Inc., based on an inspection conducted on November 9, 2006.

(2) On December 26, 2006, service was timely made on Respondent Mike Whitlock.

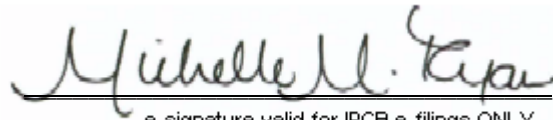
(3) Proof of service is not available for Respondents GERE Properties, Inc. and Perry Ridge Landfill, Inc.

(4) Because Respondents GERE Properties, Inc. and Perry Ridge Landfill, Inc. 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 as to Respondents GERE Properties, Inc. and Perry Ridge Landfill, Inc.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,
Complainant,

DATED: February 15, 2007



Michelle M. Ryan
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

PROOF OF SERVICE

I hereby certify that I did on the 15th day of February 2007, 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 RESPONDENTS GERE PROPERTIES, INC. AND PERRY RIDGE LANDFILL, INC.

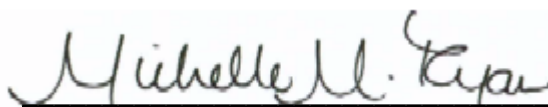
To: GERE Properties, Inc.
Stephanie Chodera, Agent
290 South Main Place
Carol Stream, Illinois 60188-2476

Perry Ridge Landfill, Inc.
Stephanie Chodera, Agent
290 South Main Place
Carol Stream, Illinois 60188-2476

Michael Whitlock
6205 Sacred Heart Road
DuQuoin, Illinois 62832

and an electronic copy of the same foregoing instrument on the same date via electronic filing

To: Dorothy Gunn, 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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Springfield, Illinois 62794-9276
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