

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

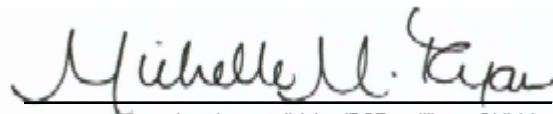
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	AC 08-06
)	
v.)	(IEPA No. 271-07-AC)
)	
SALAM H. NIJME and SHABAN)	
KARAM NIJME,)	
)	
Respondents.)	

NOTICE OF FILING

To: Salam H. Nijme & Shaban Karam A. Nijme
312 Largo Drive
Belleville, IL 62221

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.

Respectfully Submitted,



e-signature valid for IPCB e-filings ONLY

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: December 4, 2007

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	AC 08-06
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v.)	(IEPA No. 271-07-AC)
)	
SALAM H. NIJME and SHABAN)	
KARAM NIJME,)	
)	
Respondents.)	

**MOTION TO DISMISS
ADMINISTRATIVE CITATION**

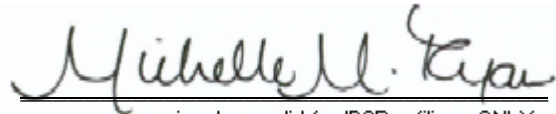
NOW COMES the Complainant, the Illinois Environmental Protection Agency (“Illinois EPA”), by and through its attorney, Special Assistant Attorney General Michelle M. Ryan, pursuant to 35 Ill. Adm. Code 108.402, and respectfully states as follows:

1. On September 20, 2007, the Illinois EPA issued an Administrative Citation to Respondents Salam H. Nijme and Shaban Karam Nijme, by certified mail, based on an inspection conducted on August 22, 2007.
2. On October 15, 2007, the Administrative Citation was sent back to the Agency from the Postal Service as unclaimed. Illinois EPA later learned that the Respondents were out of the country indefinitely.
3. Because Salam H. Nijme and Shaban Karam Nijme 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 against Salam H. Nijme and Shaban Karam Nijme.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,
Complainant,

DATED: December 4, 2007

A handwritten signature in black ink that reads "Michelle M. Ryan". The signature is written in a cursive style and is positioned above a horizontal line.

e-signature valid for IPCB e-filings ONLY

Michelle M. Ryan
Assistant Counsel

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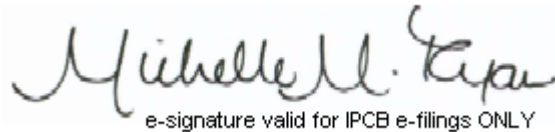
PROOF OF SERVICE

I hereby certify that I did on the 4th day of December, 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 ADMINISTRATIVE CITATION

To: Salam H. Nijme & Shaban Karam A. Nijme
312 Largo Drive
Belleville, IL 62221

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

To: John Therriault, Acting 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
Assistant Counsel

Illinois Environmental Protection Agency
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