

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

RECEIVED  
CLERK'S OFFICE

JAN 14 2008

STATE OF ILLINOIS  
Pollution Control Board

ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
 )  
Complainant, )  
 )  
v. )  
 )  
HENRY, PATTY and BRADLEY )  
MAYNOR, )  
 )  
 )  
 )  
Respondents. )

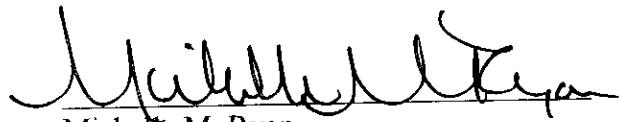
AC 08-10  
(IEPA No. 333-07-AC)

**NOTICE OF FILING**

To: Henry, Patty and Bradley Maynor  
12413 New Virginia Road  
Johnston City, IL 62951-3120

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  
Assistant Counsel

Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276  
(217) 782-5544

Dated: January 11, 2008

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

**RECEIVED**  
CLERK'S OFFICE

ADMINISTRATIVE CITATION

JAN 14 2008

STATE OF ILLINOIS  
Pollution Control Board

ILLINOIS ENVIRONMENTAL )  
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) )  
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MAYNOR, )  
) )  
Respondents. )

AC 08-10  
(IEPA No. 333-07-AC)

MOTION TO DISMISS  
ADMINISTRATIVE CITATION

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

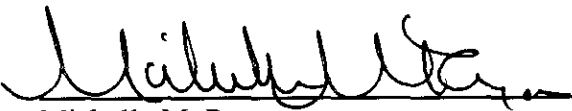
- (1) On November 13, 2007, the Illinois EPA issued an Administrative Citation to the Respondents Henry, Patty and Bradley Maynor, based on an inspection conducted on November 7, 2007.
- (2) November 14, 2007, the Williamson County Sheriff's Office attempted to hand-deliver the Administrative Citation for personal service on Henry, Patty and Bradley Maynor. Service was unsuccessful.

- (3) Because Henry, Patty and Bradley Maynor 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 Henry, Patty and Bradley Maynor.

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY,  
Complainant,

DATED: January 11, 2008



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



Williamson County Sheriff's Office

AFFIDAVIT OF SERVICE

Document: 33307AC

Received Date: 11/14/2007

Issue Date: 11/14/2007

Expire Date: / /

DEFENDANT/PERSON TO BE SERVED:

Name: Maynor, Henry
Address: 12413 New Virginia Rd St
Johnsotn City II 62951
Process #: 001 - 2007 - 002883
CASE #: 33307AC
PLAINTIFF: Illinois Environmental Protection Agency -VS- Henry Maynor

Paper Type:

(A) I CERTIFY THAT I SERVED THE ABOVE PAPERS ON THE DEFENDANT AS FOLLOWS:

- 1 PERSONAL SERVICE: BY LEAVING A COPY OF THE ABOVE PAPERS WITH THE NAMED PERSON PERSONALLY.
2 SUBSTITUTE SERVICE: BY LEAVING A COPY OF THE ABOVE PAPERS AT THE ABOVE HOME WITH SOME PERSON OF THE FAMILY, OF THE AGE OF 13 YEARS OR UPWARDS, AND INFORMING THAT PERSON OF THE CONTENTS THEREOF. ALSO, A COPY OF THE ABOVE PAPERS WAS MAILED TO THE DEFENDANT AT THE ABOVE ADDRESS.
3 SERVICE ON: CORPORATION COMPANY BUSINESS PARTNERSHIP BY LEAVING A COPY OF THE ABOVE PAPERS (OR INTERROGATORIES) WITH THE REGISTERED AGENT, AUTHORIZED PERSON OR PARTNER OF THE DEFENDANT.

(B) Sheriff CUNDIFF, SHERIFF THOMAS M BY DEPUTY

NAME OF DEFENDANT/PERSON TO BE SERVED: Maynor, Henry

SEX RACE W DOB

PERSON TO BE SERVED FOR DEFENDANT/PERSON: Maynor, Henry

RELATIONSHIP TO DEFENDANT/PERSON:

ADDRESS SERVED: 12413 New Virginia Rd St Johnsotn City IL 62951

SERVED ON DATE/TIME:

REMARKS: no serv time exp

RECEIVED
Division of Legal Counsel
DEC 14 2007

Environmental Protection Agency

Table with 3 columns: REASON NOT SERVED, ATTEMPTED SERVICES (DATE, TIME), SERVICE FEES (SERVICE, MILEAGE, RETURN, TOTAL). Rows include MOVED, WRONG ADDRESS, RETURNED, OTHER REASONS.

**PROOF OF SERVICE**

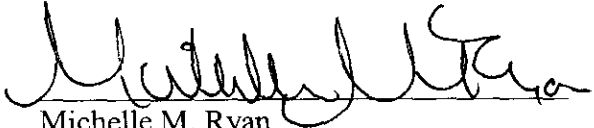
I hereby certify that I did on the 11th day of January 2008, send by U.S. Mail, with postage thereon fully prepaid, by depositing in a United States Post Office Box the following instrument(s) entitled MOTION TO DISMISS

To: Henry, Patty and Bradley Maynor  
12413 New Virginia Road  
Johnston City, IL 62951-3120

Carol Webb  
Hearing Officer  
Illinois Pollution Control Board  
1021 North Grand Avenue East  
P.O. Box 19274  
Springfield, Illinois 62794-9274

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



Michelle M. Ryan  
Assistant Counsel

Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276  
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