

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
ADMINISTRATIVE CITATION

RECEIVED
CLERK'S OFFICE
JAN 26 2009
STATE OF ILLINOIS
Pollution Control Board

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,)
)
v.)
)
WILLIAM and PATRICIA HAJEK,)
)
Respondents.)

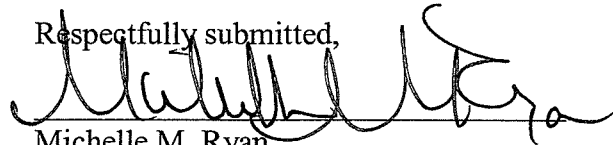
AC 09-31
(IEPA No. 331-08-AC)

NOTICE OF FILING

To: William & Patricia Hajek
11683 McAllister Road
Waterman, IL 60556-7084

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 22, 2009

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

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MOTION TO DISMISS
ADMINISTRATIVE CITATION

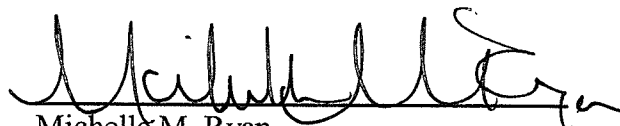
NOW COMES the Complainant, the Illinois Environmental Protection Agency ("Illinois EPA"), by and through its attorney, Assistant Counsel Michelle M. Ryan, pursuant to 35 Ill. Adm. Code 108.402, and respectfully states as follows:

- (1) On December 18, 2008, the Illinois EPA issued an Administrative Citation to Respondents William and Patricia Hajek, based on an inspection conducted on October 30, 2008.
- (2) On January 6, 2009, the Administrative Citation was sent back to the Illinois EPA from the United States Postal Service, as unclaimed. The Illinois EPA received the returned Administrative Citation on January 20, 2009.
- (3) Because William and Patricia Hajek 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 William and Patricia Hajek.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,
Complainant,

DATED: January 22, 2009



Michelle M. Ryan
Assistant Counsel

Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
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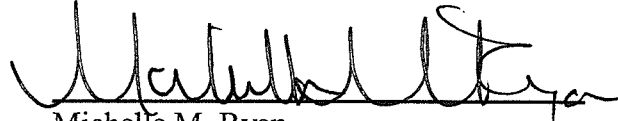
PROOF OF SERVICE

I hereby certify that I did on the 22nd day of January 2009, send by Certified Mail, Return Receipt Requested, 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: William & Patricia Hajek
11683 McAllister Road
Waterman, IL 60556-7084

and the original and nine (9) true and correct copies of the same foregoing instruments on the same date by Certified Mail, Return Receipt Requested, with postage thereon fully prepaid

To: John Therriault, 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
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