

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

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JAN 04 2013

STATE OF ILLINOIS  
Pollution Control Board

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY,

Complainant,

v.

HUSTLER HAULING, LLC,

Respondent.

AC

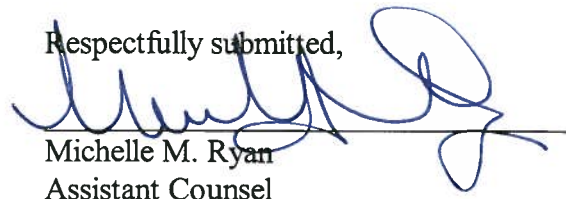
(IEPA No. 287-12-AC)

**NOTICE OF FILING**

To: Beau Whitaker, Registered Agent  
Hustler Hauling, LLC  
920 Main Street  
Keokuk, IA 52632

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 USPS TRACK & CONFIRM.

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 2, 2013

THIS FILING SUBMITTED ON RECYCLED PAPER

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
 )  
Complainant, )  
 )  
v. )  
 )  
HUSTLER HAULING, LLC, )  
 )  
Respondent. )

AC 13-25  
(IEPA No. 287-12-AC)

RECEIVED  
CLERK'S OFFICE

JAN 04 2013

STATE OF ILLINOIS  
Pollution Control Board

ORIGINAL  
RETURN TO CLERK'S OFFICE

MOTION TO DISMISS  
ADMINISTRATIVE CITATION

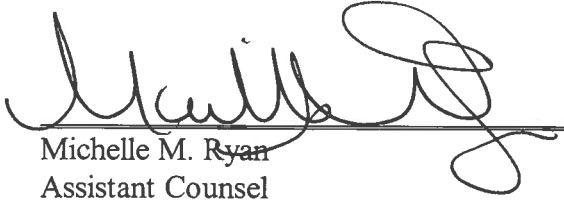
NOW COMES the Complainant, the Illinois Environmental Protection Agency ("Illinois EPA"),  
by and through its attorney, Assistant Counsel Michelle M. Ryan, pursuant to 35 Ill. Adm. Code 108.402,  
and respectfully states as follows:

- (1) On December 14, 2012, the Illinois EPA issued an Administrative Citation to Respondent Hustler Hauling, LLC, based on an inspection conducted on October 25, 2012.
- (2) Attempts to deliver/serve the Administrative Citation, were unsuccessful.
- (3) Because Hustler Hauling, LLC 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 Hustler Hauling, LLC.

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY,  
Complainant,

DATED: January 2, 2013



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

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December 21, 2012, 11:31 am

KEOKUK, IA 52632

Certified Mail™

Notice Left

December 17, 2012, 10:36 am

KEOKUK, IA 52632

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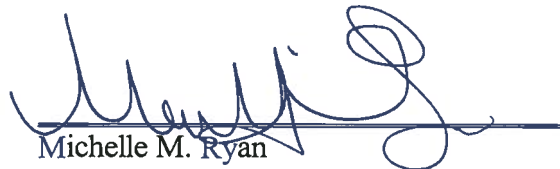
**PROOF OF SERVICE**

I hereby certify that I did on the 2nd day of January 2013, 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 USPS TRACK & CONFIRM

To: Beau Whitaker, Registered Agent  
Hustler Hauling, LLC  
920 Main Street  
Keokuk, IA 52632

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, 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  
(217) 782-5544