

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

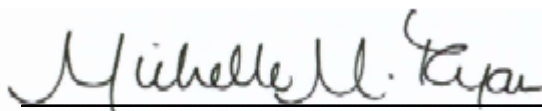
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	AC 07-32
)	
v.)	(IEPA No. 3-07-AC)
)	
DON JOSE TANDY,)	
)	
Respondent.)	

NOTICE OF FILING

To: Don Jose Tandy
404 W. Nicholas Street
Carlinville, IL 62626-1243

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 POST-HEARING BRIEF OF COMPLAINANT.

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: March 19, 2007

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	AC 07-32
)	
v.)	(IEPA No. 3-07-AC)
)	
DON JOSE TANDY,)	
)	
Respondent.)	

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:

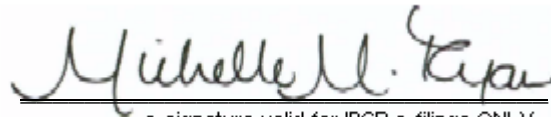
- (1) On January 9, 2007, the Illinois EPA issued an Administrative Citation to Respondent Don Jose Tandy, based on an inspection conducted on November 16, 2006.
- (2) On January 25, 2007, the Administrative Citation was sent back to the Illinois EPA from the United States Postal Service, as unclaimed.
- (3) Because Don Jose Tandy 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 Don Jose Tandy.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,
Complainant,

DATED: March 19, 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.

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Michelle M. Ryan
Special Assistant Attorney General

Illinois Environmental Protection Agency
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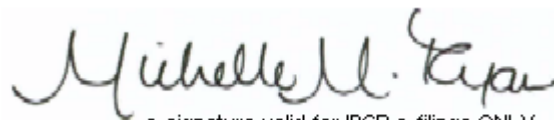
PROOF OF SERVICE

I hereby certify that I did on the 19th day of March, 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: Don Jose Tandy
404 W. Nicholas Street
Carlinville, IL 62626-1243

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



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Michelle M. Ryan
Special Assistant Attorney General

Illinois Environmental Protection Agency
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