

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,) AC 07-55
)
v.) (IEPA No. 108-06-AC)
)
GIRE PROPERTIES INC. and GIRE)
CONSTRUCTION INC.,)
)
Respondents.)

NOTICE OF FILING

To: Gire Properties, Inc.
101 N. Sycamore Street
Villa Grove, IL 61956

Edwin J. Gire, Jr.
P.O. Box 112
Villa Grove, IL 61956

Gire Construction Inc.
101N Sycamore Street
Villa Grove, IL 61956

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
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: May 21, 2007

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	AC 07-55
)	
v.)	(IEPA No. 108-06-AC)
)	
GIRE PROPERTIES INC. and GIRE)	
CONSTRUCTION INC.,)	
)	
Respondents.)	

**MOTION TO DISMISS
ADMINISTRATIVE CITATION**

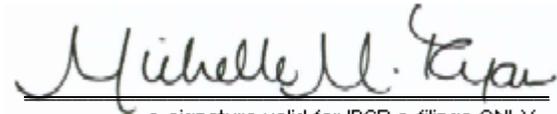
NOW COMES the Complainant, the Illinois Environmental Protection Agency (“Illinois EPA”), by and through its attorney, Special Assistant Attorney General Michelle M. Ryan, pursuant to 35 Ill. Adm. Code 108.402, and respectfully states as follows:

1. On April 19, 2007, the Illinois EPA issued an Administrative Citation to Respondents Gire Properties Inc. and Gire Construction Inc., based on an inspection conducted on March 14, 2007.
2. On May 7, 2007, the Administrative Citation was returned as unclaimed from the United States Postal Service.
3. Because Respondents Gire Properties Inc. and Gire Construction Inc. 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 Respondents Gire Properties Inc. and Gire Construction Inc.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,
Complainant,

DATED: May 21, 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
Special Assistant Attorney General

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

PROOF OF SERVICE

I hereby certify that I did on the 21st day of May, 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

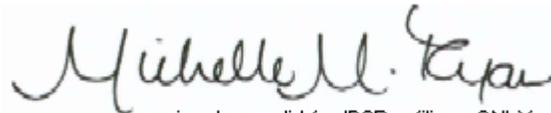
To: Gire Properties, Inc.
101 N. Sycamore Street
Villa Grove, IL 61956

Edwin J. Gire, Jr.
P.O. Box 112
Villa Grove, IL 61956

Gire Construction Inc.
101N Sycamore Street
Villa Grove, IL 61956

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



e-signature valid for IPCB e-filings ONLY

Michelle M. Ryan
Special Assistant Attorney General

Illinois Environmental Protection Agency
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