

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,	)	
	)	
Complainant,	)	AC 07-50
	)	
v.	)	(IEPA No. 56-07-AC)
	)	
DOUG HENSLEY and ERIC & CHARMIN JOSEPH,	)	
	)	
Respondents.	)	

**NOTICE OF FILING**

To: Doug Hensley  
P.O. Box 27  
Raritan, IL 61471

Eric Joseph  
P.O. Box 363  
Stronghurst, IL 61480

Charmin Savage  
P.O. Box 334  
Stronghurst, IL 61480

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 ADMINISTRATIVE CITATION AS TO RESPONDENTS DOUG HENSLEY AND ERIC JOSEPH.

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 22, 2007

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Complainant,	)	AC 07-50
	)	
v.	)	(IEPA No. 56-07-AC)
	)	
DOUG HENSLEY and ERIC &	)	
CHARMIN JOSEPH,	)	
	)	
Respondents.	)	

MOTION TO DISMISS ADMINISTRATIVE CITATION  
AS TO RESPONDENTS DOUG HENSLEY AND ERIC JOSEPH

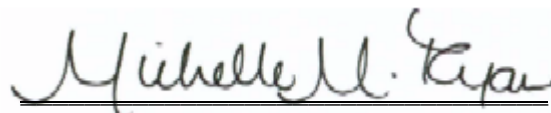
NOW COMES the Complainant, the Illinois Environmental Protection Agency (“Illinois EPA”), by and through its attorney, Special Assistant Attorney General Michelle M. Ryan, pursuant to 35 Ill. Adm. Code 108.402, and respectfully states as follows:

1. On March 21, 2007, the Illinois EPA issued an Administrative Citation to Respondents Doug Hensley and Eric & Charmin Joseph, based on an inspection conducted on March 5, 2007.
2. On March 28, 2007, all of the Administrative Citations were returned as unclaimed from the United States Postal Service.
3. On May 1, 2007, R. Eugene Figge hand-delivered the Administrative Citation to Charmin Savage, f/k/a Charmin Joseph (proof of service filed separately).
3. Because Respondents Doug Hensley and Eric Joseph were not timely served within 60 days as required by 415 ILCS 5/31.1(b), the Administrative Citation should be dismissed as to Respondents Doug Hensley and Eric Joseph

WHEREFORE, the Illinois Environmental Protection Agency requests that the Board dismiss the pending action against Respondents Doug Hensley and Eric Joseph.

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY,  
Complainant,

DATED: May 22, 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 22<sup>nd</sup> 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 AS TO RESPONDENTS DOUG HENSLEY AND ERIC JOSEPH

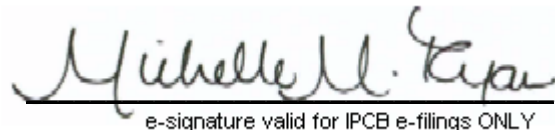
To: Doug Hensley  
P.O. Box 27  
Raritan, IL 61471

Eric Joseph  
P.O. Box 363  
Stronghurst, IL 61480

Charmin Savage  
P.O. Box 334  
Stronghurst, IL 61480

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