

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	AC 11-24
)	
v.)	(IEPA No. 84-11-AC)
)	
DENNIS HECK and RAYMOND A. &)	
DEANNA HARRIS,)	
)	
Respondents.)	

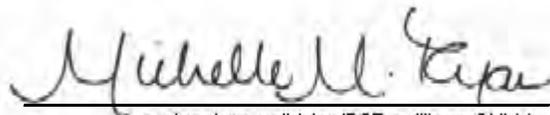
NOTICE OF FILING

To: Dennis Heck
12112 Lighthouse Lane
Opdyke, IL 62872

Deanna Harris
P.O. Box 225
Opdyke, IL 62872

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 RESPONDENT RAYMOND A. HARRIS.

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: June 28, 2011

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	AC 11-24
)	
v.)	(IEPA No. 84-11-AC)
)	
DENNIS HECK and RAYMOND A. &)	
DEANNA HARRIS,)	
)	
Respondents.)	

MOTION TO DISMISS
RESPONDENT RAYMOND A. HARRIS

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 June 2, 2011, Illinois EPA issued an Administrative Citation to Respondents DENNIS HECK, and RAYMOND A. & DEANNA HARRIS, based on an inspection conducted on March 29, 2011.

(2) On May 12, 2011, Illinois EPA filed proof of apparent service on Respondents RAYMOND A. & DEANNA HARRIS by certified mail.

(3) On or about May 25, 2011, Assistant Counsel Michelle M. Ryan spoke to Respondent DEANNA HARRIS on the telephone. DEANNA HARRIS informed Ms. Ryan that she and RAYMOND HARRIS were divorced and that RAYMOND HARRIS did not and had never resided at the address at which Illinois EPA attempted to serve him.

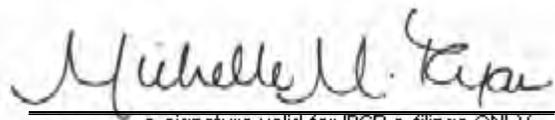
(4) On June 2, 2011, Illinois EPA received a copy of a petition for review from DEANNA HARRIS, including an original and photocopy of a notice of filing. Because the Illinois Pollution Control Board ("Board") does not appear to have a copy of this duplicate page in the record, Illinois EPA assumes that the original was intended for the Board, and therefore includes a copy of this original as Exhibit A hereto.

(5) Because RAYMOND A. HARRIS was not properly served within 60 days as required by 415 ILCS 5/31.1(b), this Administrative Citation should be dismissed as to him.

(6) Upon information and belief, Illinois EPA has been unable to locate a current address for RAYMOND A. HARRIS, therefore it is presently unable to serve a copy of this motion on him.

WHEREFORE, the Illinois Environmental Protection Agency requests that the Board dismiss the pending action against Respondent RAYMOND A. HARRIS.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,
Complainant



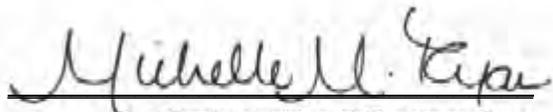
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Michelle M. Ryan
Assistant Counsel

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

CERTIFICATION

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument entitled MOTION TO DISMISS RESPONDENT RAYMOND A. HARRIS are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that she verily believes the same to be true.



e-signature valid for IPCB e-filings ONLY

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: June 28, 2011

To: Michelle M. Ryan
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

Please take notice that on this date I
mailed for filing for Petition For Review
with the Clerk of the Pollution Control
Board of the State of Illinois.

Deanna Harris
P.O. Box 225
Opdyke IL 62872

Deanna Harris
5/25/2011

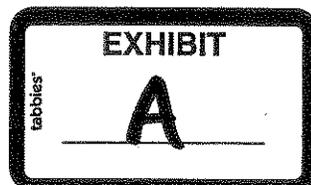
Case # AC 2011-024

Site code number 0818155001

RECEIVED
Division of Legal Counsel

JUN 02 2011

Environmental Protection
Agency



PROOF OF SERVICE

I hereby certify that I did on the 28th day of June, 2011, 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 RESPONDENT RAYMOND A.

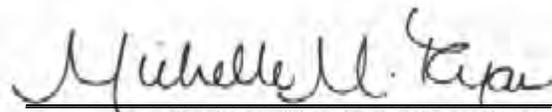
HARRIS

To: Dennis Heck
12112 Lighthouse Lane
Opdyke, IL 62872

Deanna Harris
P.O. Box 225
Opdyke, IL 62872

and an electronic copy of the same foregoing instrument on the same date via electronic filing

To: John Therriault, 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
Assistant Counsel

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