

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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

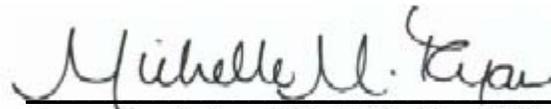
NOTICE OF FILING

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 DEANNA HARRIS AND FOR FINAL ORDER.

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: February 27, 2012

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
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Complainant,)	AC 11-24
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v.)	(IEPA No. 84-11-AC)
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DENNIS HECK and DEANNA HARRIS,)	
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MOTION TO DISMISS RESPONDENT DEANNA HARRIS
AND FOR FINAL ORDER

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 101.500, and respectfully states as follows:

(1) On May 6, 2011, Illinois EPA filed an Administrative Citation against Respondents DENNIS HECK and RAYMOND A. & DEANNA HARRIS, based on an inspection conducted on March 29, 2011.

(2) On June 2, 2011, Respondent DEANNA HARRIS filed a timely petition for review.

(3) On June 28, 2011, Illinois EPA filed a motion to voluntarily dismiss Respondent RAYMOND A. HARRIS, which was granted by the Board on July 7, 2011.

(4) On August 4, 2011, the Board entered a default order against Respondents DENNIS HECK and DEANNA HARRIS. The order held that Respondents DENNIS HECK and DEANNA HARRIS had committed the violations alleged in the Administrative Citation: Sections 21(p)(1) and 21(p)(7) of the Environmental Protection Act (“Act”), 415 ILCS 5/21(p)(1) and (7).

(5) On September 6, 2011, Respondent DEANNA HARRIS filed a motion for reconsideration, which the Board granted on October 6, 2011. The Board reaffirmed its default order against Respondent DENNIS HECK, but stayed final order regarding penalty as to Respondent DENNIS HECK until the disposition of Respondent DEANNA HARRIS's Petition for Review.

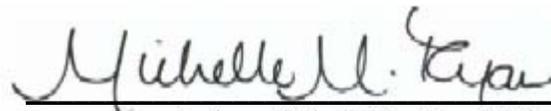
(6) Based on newly-discovered circumstances surrounding this case, Illinois EPA believes that it is now appropriate to dismiss this Administrative Citation against Respondent DEANNA HARRIS.

(7) If the Board were to grant this motion to dismiss Respondent DEANNA HARRIS, Respondent DENNIS HECK would be the only remaining Respondent and no impediment to immediate final order would exist.

WHEREFORE, the Illinois Environmental Protection Agency requests that the Board dismiss the pending action against Respondent DEANNA HARRIS and enter a final order against DENNIS HECK pursuant to Section 31.1(d)(1) of the Act.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,
Complainant

DATED: February 27, 2012



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Michelle M. Ryan
Special Assistant Attorney General

Illinois Environmental Protection Agency
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Springfield, Illinois 62794-9276
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PROOF OF SERVICE

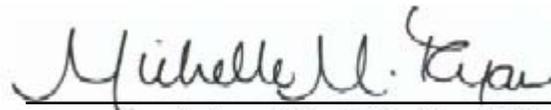
I hereby certify that I did on the 27th day of February, 2012, send by U.S. Mail with postage thereon fully prepaid, by depositing in a United States Post Office Box a true and correct copy of the following instrument(s) entitled MOTION TO DISMISS RESPONDENT DEANNA HARRIS AND FOR FINAL ORDER

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
Special Assistant Attorney General

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