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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD MAY 04 2012

ADMINISTRATIVE CITATION

STATE OF ILLINOIS  
Pollution Control Board

ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
 )  
Complainant, )  
 )  
v. )  
 )  
MARK H. & LINDA A. HAGEN, )  
 )  
Respondents. )

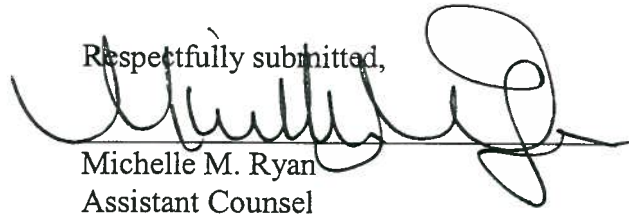
AC 12-36  
(IEPA No. 64-12-AC)

ORIGINAL  
RETURN TO CLERK'S OFFICE

NOTICE OF FILING

To: Mark H. & Linda A. Hagen  
25937 Elsay Hills Drive  
Elsah, IL 62028-7032

PLEASE TAKE NOTICE that on this date I mailed for filing with the Clerk of the Pollution Control Board of the State of Illinois the following instrument(s) entitled MOTION TO DISMISS.

Respectfully submitted,  
  
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: May 1, 2012

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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STATE OF ILLINOIS  
Pollution Control Board

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MARK H. & LINDA A. HAGEN, )  
) )  
Respondents. )

AC 12.  
(IEPA No. 64-12-AC)

MOTION TO DISMISS  
ADMINISTRATIVE CITATION

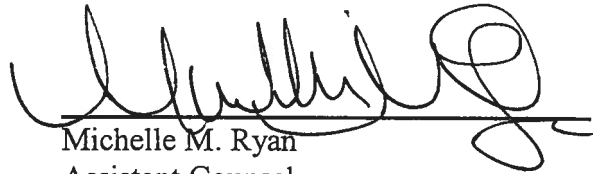
NOW COMES the Complainant, the Illinois Environmental Protection Agency ("Illinois EPA"), by and through its attorney, Assistant Counsel Michelle M. Ryan, pursuant to 35 Ill. Adm. Code 108.402, and respectfully states as follows:

- (1) On April 3, 2012, the Illinois EPA issued an Administrative Citation to Respondents Mark H. and Linda A. Hagen, based on an inspection conducted on February 16, 2012.
- (2) On April 25, 2012, the Administrative Citation was sent back to the Illinois EPA from the United States Postal Service, as unclaimed.
- (3) Because Mark H. and Linda A. Hagen 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 Mark H. and Linda A. Hagen.

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY,  
Complainant,

DATED: May 1, 2012



Michelle M. Ryan  
Assistant Counsel

Illinois Environmental Protection Agency  
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P.O. Box 19276  
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STATE OF ILLINOIS  
Pollution Control Board

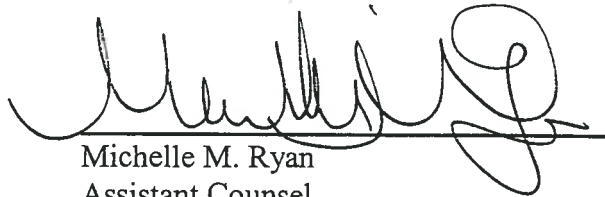
**PROOF OF SERVICE**

I hereby certify that I did on the 1st day of May 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

To: Mark H. & Linda A. Hagen  
25937 Elsay Hills Drive  
Elsah, IL 62028-7032

and the original and nine (9) true and correct copies of the same foregoing instruments on the same date by Certified Mail, Return Receipt Requested, with postage thereon fully prepaid

To: John Therriault, Clerk  
Pollution Control Board  
James R. Thompson Center  
100 West Randolph Street, Suite 11-500  
Chicago, Illinois 60601



Michelle M. Ryan  
Assistant Counsel

Illinois Environmental Protection Agency  
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P.O. Box 19276  
Springfield, Illinois 62794-9276  
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