

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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AUG 09 2012

STATE OF ILLINOIS
Pollution Control Board

ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,)
)
v.)
)
DENNIS ZINDARS,)
)
Respondent.)

AC

13-4

(IEPA No. 174-12-AC)

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STATE OF ILLINOIS
Pollution Control Board

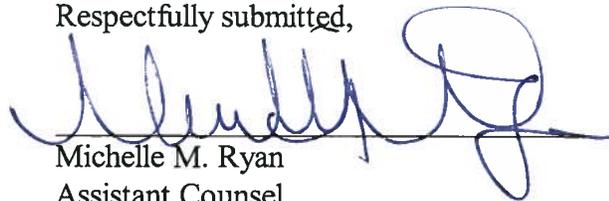
NOTICE OF FILING

To: Dennis Zindars
1818 Lake Ridge West
Monticello, IL 61856

ORIGINAL
RETURN TO CLERK'S OFFICE

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: August 7, 2012

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

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STATE OF ILLINOIS
Pollution Control Board

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Complainant,)
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DENNIS ZINDARS,)
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Respondents.)

AC 13-4
(IEPA No. 174-12-AC)

MOTION TO DISMISS
ADMINISTRATIVE CITATION

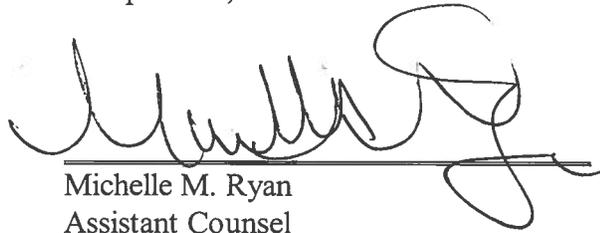
NOW COMES the Complainant, the Illinois Environmental Protection Agency ("Illinois EPA"), by and through its attorney, Assistant Counsel Michelle M. Ryan, pursuant to 35 Ill. Adm. Code 108.402, and respectfully states as follows:

- (1) On July 16, 2012, the Illinois EPA issued an Administrative Citation to Respondent Dennis Zindars, based on an inspection conducted on June 6, 2012.
- (2) Attempts to serve the Administrative Citation, by the Illinois EPA's Champaign Regional Office, were unsuccessful.
- (3) Because Dennis Zindars was 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 Dennis Zindars.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,
Complainant,

DATED: August 7, 2012



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

PROOF OF SERVICE

I hereby certify that I did on the 7th day of August 2012, send by Certified Mail, Return Receipt Requested, 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: Dennis Zindars
1818 Lake Ridge West
Monticello, IL 61856

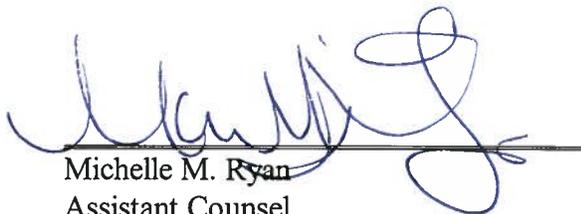
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STATE OF ILLINOIS
Pollution Control Board

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

To: John Therriault, Clerk
Illinois 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
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276
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