

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
ADMINISTRATIVE CITATION

RECEIVED
CLERK'S OFFICE

OCT 26 2012

STATE OF ILLINOIS
Pollution Control Board

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,)
)
v.)
)
STEVEN R. and ANDREA L. WALSTON,)
)
Respondents.)

AC 13-19
(IEPA No. 216-12-AC)

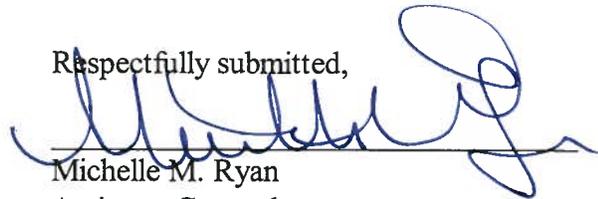
ORIGINAL
RETURN TO CLERK'S OFFICE

NOTICE OF FILING

To: Steven R. and Andrea L. Walston
1208 Mattis Avenue
Champaign, IL 61821-4828

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: October 22, 2012

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

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OCT 26 2012
STATE OF ILLINOIS
Pollution Control Board

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,)
)
v.)
)
STEVEN R. and ANDREA L. WALSTON,)
)
Respondents.)

AC 13-19
(IEPA No. 216-08-AC)

MOTION TO DISMISS
ADMINISTRATIVE CITATION

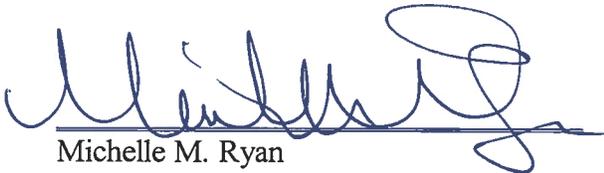
NOW COMES the Complainant, the Illinois Environmental Protection Agency ("Illinois EPA"), by and through its attorney, Assistant Counsel Michelle M. Ryan, pursuant to 35 Ill. Adm. Code 108.402, and respectfully states as follows:

- (1) On October 5, 2012, the Illinois EPA issued an Administrative Citation to Respondents Steven R. and Andrea L. Walston, based on an inspection conducted on August 14, 2012.
- (2) The Administrative Citation service due date was October 15, 2012. According to the United States Postal Service website, the Administrative Citation has not been claimed by respondents, as of October 22, 2012.
- (3) Because Steven R. and Andrea L. Walston 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 Steven R. and Andrea L. Walston.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,
Complainant,

DATED: October 22, 2012



Michelle M. Ryan
Assistant Counsel

Illinois Environmental Protection Agency
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STATE OF ILLINOIS
Pollution Control Board

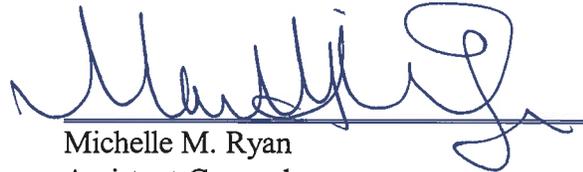
PROOF OF SERVICE

I hereby certify that I did on the 22nd day of October 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: Steven R. and Andrea L. Walston
1208 Mattis Avenue
Champaign, IL 61821-4828

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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