

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
 ADMINISTRATIVE CITATION

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STATE OF ILLINOIS
 Pollution Control Board

ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Complainant,)
)
 v.)
)
 JOHN D. BELLESS,)
)
 Respondent.)

AC 15-13
 (IEPA No. 354-14-AC)

NOTICE OF FILING

 ORIGINAL

To: John Belless
 P.O. Box 1341
 Laurie, MO 65038-1341

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,



Scott B. Sievers
 Assistant Counsel

by JAR

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

Dated: November 6, 2014

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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STATE OF ILLINOIS
Pollution Control Board

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,)
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JOHN D. BELLESS,)
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Respondent.)

AC 15-13

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MOTION TO DISMISS
ADMINISTRATIVE CITATION


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

- (1) On October 9, 2014, the Illinois EPA issued an Administrative Citation to Respondent John D. Belless based on an inspection conducted on August 26, 2014.
- (2) On October 24, 2014, the Mason County Sheriff's Department went to the residence on record for Mr. Belless to serve the Administrative Citation. However, it has been determined that Mr. Belless no longer resides at that address. On November 3, 2014 the Administrative Citation was returned to the Illinois EPA from the United States Postal Service as unclaimed.
- (3) Because Mr. Belless 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 moves this Board to dismiss the pending action against John D. Belless.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,
Complainant,

DATED: November 6, 2014


Scott B. Sievers
Assistant Counsel by JLR

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 6th day of November 2014, 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: John Belless
P.O. Box 1341
Laurie, MO 65038-1341

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Pollution Control Board

and the original and nine (9) true and correct copies of the same foregoing instruments on the same date by U.S. Mail, 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



Scott B. Sievers
Assistant Counsel

by JBR

Illinois Environmental Protection Agency
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