

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

RECEIVED
CLERK'S OFFICE

ADMINISTRATIVE CITATION

DEC 27 2013

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,



) ORIGINAL
)
)
)
)
)
)
)
)
)

STATE OF ILLINOIS
Pollution Control Board

Complainant,

AC 14-30

v.

(IEPA No. 365-13-AC)

DONALD MEYER,

Respondent.

NOTICE OF FILING

To: Donald Meyer
1212 Ann Eliza Street
Pekin, IL 61554

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

Michelle M. Ryan
Assistant Counsel

by JLL

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

Dated: December 24, 2013

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

RECEIVED
CLERK'S OFFICE

DEC 27 2013

ADMINISTRATIVE CITATION

STATE OF ILLINOIS
Pollution Control Board

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,)
)
v.)
)
DONALD MEYER)
)
Respondent.)

AC 14-30
(IEPA No. 365-13-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 November 26, 2013, the Illinois EPA issued an Administrative Citation to Respondent Donald Meyer, based on an inspection conducted on October 24, 2013.
- (2) The Administrative Citation was sent back to the Illinois EPA from the United States Postal Service, as unclaimed.
- (3) Because Respondent, Donald Meyer was not timely served within 60 days as required by 415 ILCS 5/31.1(b), the Administrative Citation should be dismissed.

WHEREFORE, the Illinois Environmental Protection Agency requests that the Board dismiss the pending action against Donald Meyer.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,
Complainant,

DATED: December 24, 2013



Michelle M. Ryan
Assistant Counsel
by JAR

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

RECEIVED
CLERK'S OFFICE

DEC 27 2013

PROOF OF SERVICE

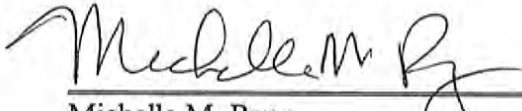
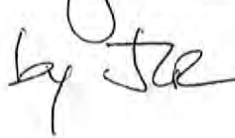
STATE OF ILLINOIS
Pollution Control Board

I hereby certify that I did on the 24th day of December 2013, 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: Donald Meyer
1212 Ann Eliza Street
Pekin, IL 61554

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