

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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STATE OF ILLINOIS  
Pollution Control Board

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY,

Complainant,

v.

CHARLES L. PARKER,

Respondent.

AC 04-29

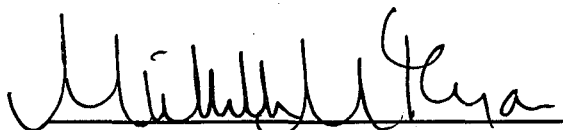
(IEPA No. 724-03-AC)

**NOTICE OF FILING**

To: Charles L. Parker  
217 ½ S. Sangamon  
Lincoln, Illinois 62656

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  
Special Assistant Attorney General

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

Dated: January 22, 2004

FEB - 2 2004

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

### ADMINISTRATIVE CITATION

AC 04-29  
(IEPA No. 724-03-AC)

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

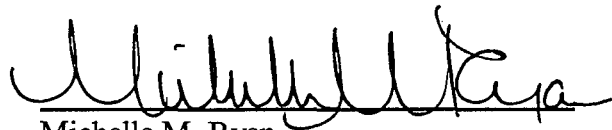
- (1) On December 15, 2003, the Illinois EPA issued an Administrative Citation to Respondent Charles L. Parker, based on an inspection conducted on November 10, 2003.
- (2) On January 5, 2004, the Administrative Citation was sent back to the Illinois EPA from the United States Postal Service, as unclaimed.
- (3) On January 7 and January 8, 2004 William Zierath, Illinois EPA Inspector tried to hand-deliver the Administrative Citation for personal service on Mr. Parker. Service was unsuccessful.

(4) Because Charles L. Parker 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 Charles L. Parker.

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY,  
Complainant,

DATED: January 22, 2004

A handwritten signature in black ink, appearing to read "Michelle M. Ryan", written over a horizontal line.

Michelle M. Ryan  
Special Assistant Attorney General

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

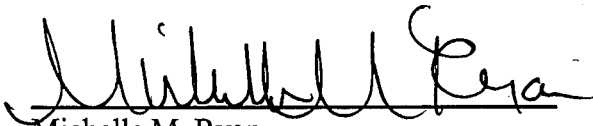
# **PROOF OF SERVICE**

I hereby certify that I did on the 22<sup>nd</sup> day of January, 2004, 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: Charles L. Parker  
217 ½ S. Sangamon  
Lincoln, Illinois 62656

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

  
Michelle M. Ryan  
Special Assistant Attorney General

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