

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

**RECEIVED**  
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SEP 16 2005

STATE OF ILLINOIS  
Pollution Control Board

ILLINOIS ENVIRONMENTAL PROTECTION )  
AGENCY, )  
)  
Complainant, )  
)  
v. )  
)  
LINDA HOLMES, )  
)  
Respondent. )

AC 05-74

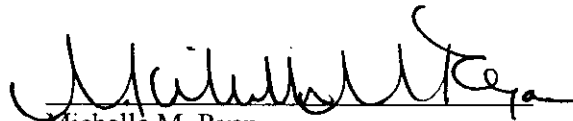
(IEPA No. 143-05-AC)

**NOTICE OF FILING**

To: Linda Holmes  
36 Airport Road  
Murphysboro, IL 62966

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: September 12, 2005

SEP 16 2005

STATE OF ILLINOIS  
Pollution Control Board

ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
) )  
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LINDA HOLMES, )  
) )  
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AC 05-74

(IEPA No. 143-05-AC)

MOTION TO DISMISS  
ADMINISTRATIVE CITATION

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 May 20, 2005, Illinois EPA issued an Administrative Citation to Respondents Richard Holmes d/b/a Rich's Towing and Linda Holmes, based on an inspection conducted on March 30, 2005.

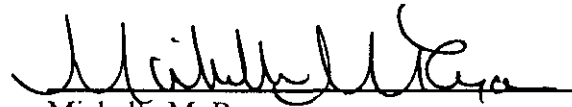
(2) On July 7, 2005, the Illinois Pollution Control Board ("Board") issued a default order in this matter against Richard Holmes, d/b/a Rich's Towing.

(3) After a review of additional information that has been disclosed since the March 30, 2005 inspection, Illinois EPA determines that it is appropriate that this Administrative Citation be dismissed as to the remaining Respondent, Linda Holmes.

WHEREFORE, the Illinois EPA requests that the Board dismiss the pending action against Respondent Linda Holmes.

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY,  
Complainant,

DATED: September 12, 2005



Michelle M. Ryan  
Special Assistant Attorney General

Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
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**PROOF OF SERVICE**

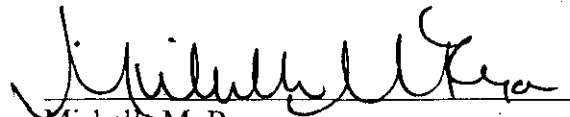
I hereby certify that I did on the 12<sup>th</sup> day of September, 2005, send by U.S. Mail, with postage thereon fully prepaid, by depositing in a United States Post Office Box the following instrument(s) entitled MOTION TO DISMISS

To: Linda Holmes  
36 Airport Road  
Murphysboro, IL 62966

Carol Sudman  
Hearing Officer  
Illinois Pollution Control Board  
1021 North Grand Avenue East  
P.O. Box 19274  
Springfield, Illinois 62794-9274

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

THIS FILING SUBMITTED ON RECYCLED PAPER