

**Electronic Filing - Received, Clerk's Office, June 2, 2008**

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
 )  
Complainant, ) AC 08-28  
 )  
v. ) (IEPA No. 52-08-AC)  
 )  
JOSEPH COSENTINO and ROB PINSKI, )  
 )  
Respondents. )

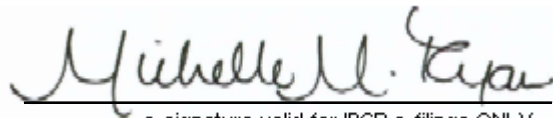
**NOTICE OF FILING**

To: Rob Pinski  
529 S. Madison St.  
Du Quoin, IL 62832

Tony Cosentino  
1043 N. Walnut St.  
St. Johns, IL 62832

PLEASE TAKE NOTICE that on this date I electronically filed with the Clerk of the Pollution Control Board of the State of Illinois the following instrument(s) entitled MOTION TO DISMISS RESPONDENT JOSEPH COSENTINO.

Respectfully Submitted,



e-signature valid for IPCB e-filings ONLY

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: June 2, 2008

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Complainant,	)	AC 08-28
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	)	
JOSEPH COSENTINO and ROB PINSKI,	)	
	)	
Respondents.	)	

MOTION TO DISMISS RESPONDENT  
JOSEPH COSENTINO

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 101.500, and respectfully states as follows:

(1) On April 11, 2008, Illinois EPA filed an Administrative Citation against Respondents JOSEPH COSENTINO as property owner and ROB PINSKI as operator, based on an inspection conducted on February 29, 2008.

(2) On May 12, 2008, Respondent ROB PINSKI filed a timely petition for review.

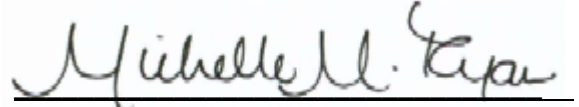
(3) Since the filing of this Administrative Citation, Complainant has determined that upon information and belief, Respondent JOSEPH COSENTINO has been deceased for several years.

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WHEREFORE, the Illinois Environmental Protection Agency requests that the Board dismiss the pending action against Respondent JOSEPH COSENTINO and allow the case to proceed against ROB PINSKI as the sole defendant in this matter.

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY,  
Complainant

DATED: June 2, 2008



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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

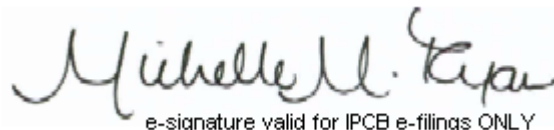
I hereby certify that I did on the 2<sup>nd</sup> day of June, 2008, send by U.S. Mail with postage thereon fully prepaid, by depositing in a United States Post Office Box a true and correct copy of the following instrument(s) entitled MOTION TO DISMISS RESPONDENT JOSEPH COSENTINO

To: Tony Cosentino  
1043 N. Walnut St.  
St. Johns, IL 62832

Rob Pinski  
529 S. Madison St.  
Du Quoin, IL 62832

and an electronic copy of the same foregoing instrument on the same date via electronic filing

To: John Therriault, Acting Clerk  
Pollution Control Board  
James R. Thompson Center  
100 West Randolph Street, Suite 11-500  
Chicago, Illinois 60601



e-signature valid for IPCB e-filings ONLY

Michelle M. Ryan  
Assistant Counsel

Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276  
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