

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
ADMINISTRATIVE CITATION

RECEIVED
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JUN 17 2010
STATE OF ILLINOIS
Pollution Control Board

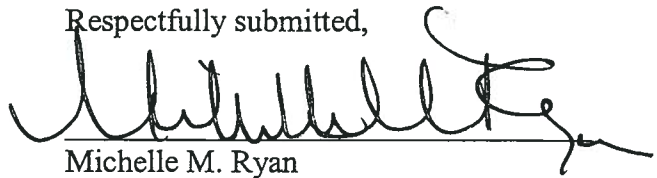
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,) AC 10-29
)
v.) (IEPA No. 161-10-AC)
)
CHRISTA HJORT,)
)
Respondent.)

NOTICE OF FILING

To: Christa Hjort
31 Ridgecrest Dr.
Decatur, IL 62521-5425

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
Assistant Counsel

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

Dated: June 15, 2010

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AC 10-29
(IEPA No. 161-10-AC)

MOTION TO DISMISS
ADMINISTRATIVE CITATION

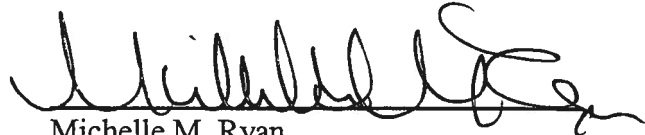
NOW COMES the Complainant, the Illinois Environmental Protection Agency ("Illinois EPA"), by and through its attorney, Assistant Counsel Michelle M. Ryan, pursuant to 35 Ill. Adm. Code 108.402, and respectfully states as follows:

- (1) On June 1, 2010, the Illinois EPA issued an Administrative Citation to Respondent Christa Hjort, based on an inspection conducted on April 12, 2010.
- (2) On June 7, 2010, the Administrative Citation was sent back to the Illinois EPA from the United States Postal Service, as unclaimed. Additionally, hand delivery was attempted by an EPA field inspector on June 10, 2010. This attempt was unsuccessful.
- (3) Because Christa Hjort 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 Christa Hjort.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,
Complainant,

DATED: June 15, 2010

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

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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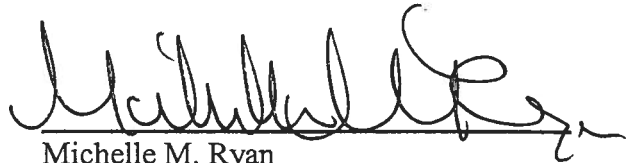
PROOF OF SERVICE

I hereby certify that I did on the 15th day of June, 2010, 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: Christa Hjort
31 Ridgecrest Dr.
Decatur, IL 62521-5425

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



Michelle M. Ryan
Assistant Counsel

Illinois Environmental Protection Agency
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