

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

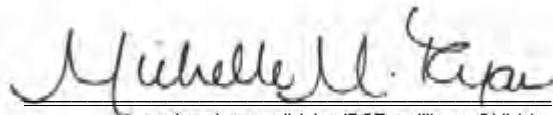
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	AC 2019-012
)	
v.)	(IEPA No. 173-18-AC)
)	
DARRYL and SHANNA NOE)	
)	
Respondents.)	

NOTICE OF FILING

To: Darryl and Shanna Noe
902 W. Hayes Street
Keyesport, IL 62253

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 RESPONDENTS DARRYL and SHANNA NOE.

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: January 7, 2019

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	AC 2019-012
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v.)	(IEPA No. 173-18-AC)
)	
DARRYL and SHANNA NOE)	
)	
Respondents.)	

MOTION TO DISMISS RESPONDENTS
DARRYL AND SHANNA NOE

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

- (1) On November 28, 2018, Illinois EPA issued an Administrative Citation to Respondents Darryl and Shanna Noe based on an inspection conducted on October 25, 2018.
- (2) Proof of service is not available for Respondents Darryl and Shanna Noe.
- (4) Because Illinois EPA cannot demonstrate that Respondents Darryl and Shanna Noe were 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 as to Respondents Darryl and Shanna Noe.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,
Complainant,

DATED: January 7, 2016



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Michelle M. Ryan
Assistant Counsel

Illinois Environmental Protection Agency
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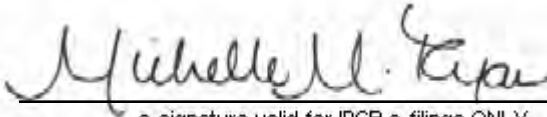
PROOF OF SERVICE

I hereby certify that I did on the 7th day of January 2019, 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 RESPONDENTS DARRYL AND SHANNA NOE.

To: Darryl and Shanna Noe
902 W. Hayes Street
Keyesport, IL 62253

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

To: Don Brown, 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
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