

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
ADMINISTRATIVE CITATION

RECEIVED
CLERK'S OFFICE

APR 01 2014

STATE OF ILLINOIS
Pollution Control Board



ORIGINAL

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,)
)
vs.)
)
LONE OAK ENTERPRISES, INC. and)
LOMAX & SONS CONSTRUCTION,)
)
Respondents.)

AC-14-38

(IEPA No. 51-14-AC)

NOTICE OF FILING

To: Clerk of the Illinois Pollution Control Board
State of Illinois Center
100 West Randolph, Suite 11-500
Chicago, IL 60601

Illinois Environmental Protection Agency
Division of Legal Counsel
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 61794-9276

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 Petition for Review of Lone Oak Enterprises, Inc. and Lomax & Sons Construction, Inc., Respondents, together with the Notice of Appearance of David L. Piercy, attorney for Respondents.

Dated: March 28, 2014

HOWARD, LEGGANS, PIERCY & HOWARD LLP

BY _____


David L. Piercy
ARDC No. 6182902
HOWARD, LEGGANS, PIERCY & HOWARD LLP
Attorneys for Plaintiffs
1008 Main Street, P.O. Box 1810
Mt. Vernon, IL 62864
(618) 242-6594

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PETITION FOR REVIEW

Now come Respondents by Howard, Leggans, Piercy & Howard LLP, their attorneys, pursuant to 35 Illinois Administrative Code 108.206, and hereby petition the Illinois Pollution Control Board for a hearing to contest the Administrative Citation dated February 26, 2014, in this case, and, in support thereof, state that the alleged violations were the result of uncontrollable circumstances.

HOWARD, LEGGANS, PIERCY & HOWARD LLP

BY  _____

David L. Piercy
ARDC No. 6182902
HOWARD, LEGGANS, PIERCY & HOWARD LLP
Attorneys for Plaintiffs
1008 Main Street, P.O. Box 1810
Mt. Vernon, IL 62864
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PROTECTION AGENCY,)

Complainant,)

vs.)

LONE OAK ENTERPRISES, INC. and)
LOMAX & SONS CONSTRUCTION,)

Respondents.)

AC-14-38

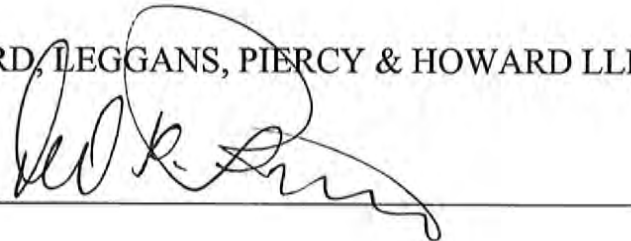
(IEPA No. 51-14-AC)

NOTICE OF APPEARANCE

The undersigned, David L. Piercy, Attorney at Law, of Howard, Leggans, Piercy & Howard LLP, hereby enters his appearance on behalf of Respondents.

HOWARD, LEGGANS, PIERCY & HOWARD LLP

BY



David L. Piercy
ARDC No. 6182902
HOWARD, LEGGANS, PIERCY & HOWARD LLP
Attorneys for Plaintiffs
1008 Main Street, P.O. Box 1810
Mt. Vernon, IL 62864
(618) 242-6594

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Pollution Control Board

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,)	
)	
Complainant,)	
)	AC-14-38
vs.)	
)	(IEPA No. 51-14-AC)
LONE OAK ENTERPRISES, INC. and LOMAX & SONS CONSTRUCTION,)	
)	
Respondents.)	

PROOF OF SERVICE

I hereby certify that I did on this 28th day of March, 2014, send by U.S. Mail with postage thereon fully prepaid, by depositing in a United States Post Office Box the original of the following instruments: Petition for Review, Notice of Filing, and Notice of Appearance:

To: Clerk of the Illinois Pollution Control Board
State of Illinois Center
100 West Randolph, Suite 11-500
Chicago, IL 60601

and a true copy of the same foregoing instrument(s) on the same date by U.S. Mail with postage thereon fully prepaid

To: Illinois Environmental Protection Agency
Division of Legal Counsel
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 61794-9276

HOWARD, LEGGANS, PIERCY & HOWARD LLP

BY 

David L. Piercy
ARDC No. 6182902
HOWARD, LEGGANS, PIERCY & HOWARD LLP
Attorneys for Plaintiffs
1008 Main Street, P.O. Box 1810
Mt. Vernon, IL 62864
(618) 242-6594

HOWARD, LEGGANS, PIERCY & HOWARD LLP

GEORGE W. HOWARD, JR. (1932-1994)
G. W. HOWARD III
DAVID R. LEGGANS
DAVID L. PIERCY
JEFFREY G. HOWARD

ATTORNEYS AT LAW
1008 MAIN STREET
HOWARD BLDG. - P.O. BOX 1810
MT. VERNON, IL 62864

AREA CODE 618
TELEPHONE 242-6594
FAX 244-7197
email dlp@mvn.net

March 28, 2014

 ORIGINAL

Clerk of the Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street, Suite 11-500
Chicago, IL 60601

Re: Illinois Environmental Protection Agency vs. Lone Oak Enterprises, Inc.
And Lomax & Sons Construction
IEPA File No. 51-14-AC
AC14-38
Jefferson County, Illinois

Dear Sir:

Enclosed for filing with the Illinois Pollution Control Board, please find the original and 9 true and correct copies of the following:

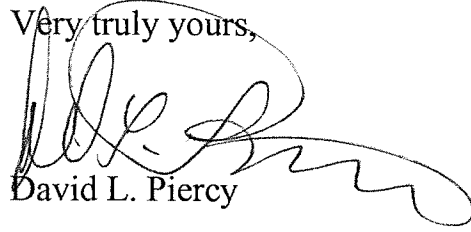
1. Notice of Appearance.
2. Petition for Review.
3. Notice of Filing.
4. Proof of Service.

I also enclose one extra set of copies of the foregoing documents which I would appreciate your file stamping, if possible, and returning to me in the envelope which I have provided.

Any questions or concerns about these filings should be directed to this office.
Thank you.

Clerk of the Illinois Pollution Control Board
March 28, 2014
Page 2

Very truly yours,

A handwritten signature in black ink, appearing to read 'D. L. Piercy', with a long, sweeping horizontal flourish extending to the right.

David L. Piercy

DLP/ljs

Enclosures

cc: Illinois Environmental Protection Agency
Lone Oak Enterprises, Inc.
Lomax & Sons Construction