

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
-vs-) PCB No. 19-112
)
MARINO DEVELOPMENT LLC,)
an Arizona limited liability company, and)
A-W-BENNETT ENTERPRISES, INC.)
an Oregon corporation,)
)
)
Respondents.)

RESPONSE TO COMPLAINT

Now comes the Respondent A-W-BENNETT ENTERPRISES, INC., by his attorneys, VELLA & LUND, P.C., by ANDREW J. VELLA, and for its Response states as follows:

RESPONSE

COUNT I

1. That the Respondent, A-W-BENNETT ENTERPRISES, INC., admits the allegations contained in paragraph 1 filed herein.
2. That the Respondent, A-W-BENNETT ENTERPRISES, INC., admits the allegations contained in paragraph 2 filed herein.
3. That the Respondent, A-W-BENNETT ENTERPRISES, INC., admits the allegations contained in paragraph 3 filed herein.
4. That the Respondent, A-W-BENNETT ENTERPRISES, INC., admits the allegations contained in paragraph 4 filed herein.

5. That the Respondent, A-W-BENNETT ENTERPRISES, INC., admits the allegations contained in paragraph 5 filed herein.

6. That the Respondent, A-W-BENNETT ENTERPRISES, INC., neither admits nor denies the allegations contained in paragraph 6 filed herein.

7. That the Respondent, A-W-BENNETT ENTERPRISES, INC., admits the allegations contained in paragraph 7 filed herein.

8. That the Respondent, A-W-BENNETT ENTERPRISES, INC., admits the allegations contained in paragraph 8 filed herein.

9. That the Respondent, A-W-BENNETT ENTERPRISES, INC., admits the allegations contained in paragraph 9 filed herein.

10. That the Respondent, A-W-BENNETT ENTERPRISES, INC., admits the allegations contained in paragraph 10 filed herein.

11. That the Respondent, A-W-BENNETT ENTERPRISES, INC., admits the allegations contained in paragraph 11 filed herein.

12. That the Respondent, A-W-BENNETT ENTERPRISES, INC., admits in part and neither admits nor denies in part the allegations contained in paragraph 12 filed herein.

13. That the Respondent, A-W-BENNETT ENTERPRISES, INC., neither admits nor denies the allegations contained in paragraph 13 filed herein.

14a.-d. That the Respondent, A-W-BENNETT ENTERPRISES, INC., neither admits nor denies the allegations contained in paragraph 14a.-d. filed herein.

15. That the Respondent, A-W-BENNETT ENTERPRISES, INC., admits in part

and denies in part the allegations contained in paragraph 15 filed herein.

16. That the Respondent, A-W-BENNETT ENTERPRISES, INC., admits the allegations contained in paragraph 16 filed herein.

17. That the Respondent, A-W-BENNETT ENTERPRISES, INC., admits the allegations contained in paragraph 17 filed herein.

18. That the Respondent, A-W-BENNETT ENTERPRISES, INC., admits the allegations contained in paragraph 18 filed herein.

19. That the Respondent, A-W-BENNETT ENTERPRISES, INC., admits the allegations contained in paragraph 19 filed herein.

20. That the Respondent, A-W-BENNETT ENTERPRISES, INC., admits the allegations contained in paragraph 20 filed herein.

21. That the Respondent, A-W-BENNETT ENTERPRISES, INC., denies in part and neither admits nor denies in part the allegations contained in paragraph 21 filed herein.

22. That the Respondent, A-W-BENNETT ENTERPRISES, INC., admits the allegations contained in paragraph 22 filed herein.

23. That the Respondent, A-W-BENNETT ENTERPRISES, INC., admits the allegations contained in paragraph 23 filed herein.

24. That the Respondent, A-W-BENNETT ENTERPRISES, INC., denies the allegations contained in paragraph 24 filed herein.

25. That the Respondent, A-W-BENNETT ENTERPRISES, INC., admits the allegations contained in paragraph 25 filed herein.

26. That the Respondent, A-W-BENNETT ENTERPRISES, INC., admits the allegations contained in paragraph 26 filed herein.

27. That the Respondent, A-W-BENNETT ENTERPRISES, INC., neither admits nor denies the allegations contained in paragraph 27 filed herein.

28. That the Respondent, A-W-BENNETT ENTERPRISES, INC., denies the allegations contained in paragraph 28 filed herein.

WHEREFORE, Respondent, A-W-BENNETT ENTERPRISES, INC., respectfully requests as follows:

A. That the Complaint, filed herein, be dismissed as to A-W-BENNETT ENTERPRISES, INC.

B. That this Board order such other relief as in equity and justice it shall deem proper.

COUNT II

1-28. That the Respondent re-answers 1-28 of this Count II as answered above.

29. That the Respondent, A-W-BENNETT ENTERPRISES, INC., admits the allegations contained in paragraph 29 filed herein.

30. That the Respondent, A-W-BENNETT ENTERPRISES, INC., denies the allegations contained in paragraph 30 filed herein.

WHEREFORE, Respondent, A-W-BENNETT ENTERPRISES, INC., respectfully requests as follows:

A. That the Complaint, filed herein, be dismissed as to A-W-BENNETT ENTERPRISES, INC.

B. That this Board order such other relief as in equity and justice it shall deem proper.

COUNT III

1-28. That the Respondent re-answers 1-28 of this Count III as answered above.

29. That the Respondent, A-W-BENNETT ENTERPRISES, INC., admits the allegations contained in paragraph 29 filed herein.

30. That the Respondent, A-W-BENNETT ENTERPRISES, INC., admits the allegations contained in paragraph 30 filed herein.

31. That the Respondent, A-W-BENNETT ENTERPRISES, INC., neither admits nor denies the allegations contained in paragraph 31 filed herein.

32. That the Respondent, A-W-BENNETT ENTERPRISES, INC., denies the allegations contained in paragraph 32 filed herein.

WHEREFORE, Respondent, A-W-BENNETT ENTERPRISES, INC., respectfully requests as follows:

A. That the Complaint, filed herein, be dismissed as to A-W-BENNETT ENTERPRISES, INC.

B. That this Board order such other relief as in equity and justice it shall deem proper.

COUNT IV

1-25. That the Respondent re-answers 1-25 of this Count IV as answered above.

26. That the Respondent, A-W-BENNETT ENTERPRISES, INC., neither admits nor denies in part and denies in part the allegations contained in paragraph 26 filed herein.

27. That the Respondent, A-W-BENNETT ENTERPRISES, INC., admits the allegations contained in paragraph 27 filed herein.

28. That the Respondent, A-W-BENNETT ENTERPRISES, INC., admits the allegations contained in paragraph 28 filed herein.

29. That the Respondent, A-W-BENNETT ENTERPRISES, INC., admits the allegations contained in paragraph 29 filed herein.

30. That the Respondent, A-W-BENNETT ENTERPRISES, INC., admits the allegations contained in paragraph 30 filed herein.

31. That the Respondent, A-W-BENNETT ENTERPRISES, INC., neither admits nor denies the allegations contained in paragraph 31 filed herein.

32. That the Respondent, A-W-BENNETT ENTERPRISES, INC., neither admits nor denies the allegations contained in paragraph 32 filed herein.

33. That the Respondent, A-W-BENNETT ENTERPRISES, INC., admits the allegations contained in paragraph 33 filed herein.

34. That the Respondent, A-W-BENNETT ENTERPRISES, INC., denies the allegations contained in paragraph 34 filed herein.

35. That the Respondent, A-W-BENNETT ENTERPRISES, INC., denies the allegations contained in paragraph 35 filed herein.

36. That the Respondent, A-W-BENNETT ENTERPRISES, INC., denies the

allegations contained in paragraph 36 filed herein.

37. That the Respondent, A-W-BENNETT ENTERPRISES, INC., denies the allegations contained in paragraph 37 filed herein.

WHEREFORE, Respondent, A-W-BENNETT ENTERPRISES, INC., respectfully requests as follows:

A. That the Complaint, filed herein, be dismissed as to A-W-BENNETT ENTERPRISES, INC.

B. That this Board order such other relief as in equity and justice it shall deem proper.

COUNT V

1-25. That the Respondent re-answers 1-25 of this Count V as answered above.

26. That the Respondent, A-W-BENNETT ENTERPRISES, INC., denies the allegations contained in paragraph 26 filed herein.

27. That the Respondent, A-W-BENNETT ENTERPRISES, INC., admits the allegations contained in paragraph 27 filed herein.

28. That the Respondent, A-W-BENNETT ENTERPRISES, INC., denies the allegations contained in paragraph 28 filed herein.

29. That the Respondent, A-W-BENNETT ENTERPRISES, INC., neither admits nor denies the allegations contained in paragraph 29 filed herein.

30. That the Respondent, A-W-BENNETT ENTERPRISES, INC., denies the allegations contained in paragraph 30 filed herein.

WHEREFORE, Respondent, A-W-BENNETT ENTERPRISES, INC., respectfully requests as follows:

A. That the Complaint, filed herein, be dismissed as to A-W-BENNETT ENTERPRISES, INC.

B. That this Board order such other relief as in equity and justice it shall deem proper.

COUNT VI

1-20. That the Respondent re-answers 1-20 of this Count VI as answered above.

21. That the Respondent, A-W-BENNETT ENTERPRISES, INC., denies the allegations contained in paragraph 21 filed herein.

22. That the Respondent, A-W-BENNETT ENTERPRISES, INC., admits the allegations contained in paragraph 22 filed herein.

23. That the Respondent, A-W-BENNETT ENTERPRISES, INC., denies the allegations contained in paragraph 23 filed herein.

24. That the Respondent, A-W-BENNETT ENTERPRISES, INC., denies the allegations contained in paragraph 24 filed herein.

WHEREFORE, Respondent, A-W-BENNETT ENTERPRISES, INC., respectfully requests as follows:

A. That the Complaint, filed herein, be dismissed as to A-W-BENNETT ENTERPRISES, INC.

B. That this Board order such other relief as in equity and justice it shall

deem proper.

COUNT VII

1-21. That the Respondent re-answers 1-21 of this Count VII as answered above.

22. That the Respondent, A-W-BENNETT ENTERPRISES, INC., admits the allegations contained in paragraph 22 filed herein.

23. That the Respondent, A-W-BENNETT ENTERPRISES, INC., admits the allegations contained in paragraph 23 filed herein.

24. That the Respondent, A-W-BENNETT ENTERPRISES, INC., denies the allegations contained in paragraph 24 filed herein.

25. That the Respondent, A-W-BENNETT ENTERPRISES, INC., denies the allegations contained in paragraph 25 filed herein.

26. That the Respondent, A-W-BENNETT ENTERPRISES, INC., denies the allegations contained in paragraph 26 filed herein.

WHEREFORE, Respondent, A-W-BENNETT ENTERPRISES, INC., respectfully requests as follows:

A. That the Complaint, filed herein, be dismissed as to A-W-BENNETT ENTERPRISES, INC.

B. That this Board order such other relief as in equity and justice it shall deem proper.

COUNT VIII

1-16. That the Respondent re-answers 1-16 of this Count VIII as answered

above.

17. That the Respondent, A-W-BENNETT ENTERPRISES, INC., denies the allegations contained in paragraph 17 filed herein.

18. That the Respondent, A-W-BENNETT ENTERPRISES, INC., neither admits nor denies the allegations contained in paragraph 18 filed herein.

19. That the Respondent, A-W-BENNETT ENTERPRISES, INC., admits the allegations contained in paragraph 19 filed herein.

20. That the Respondent, A-W-BENNETT ENTERPRISES, INC., admits the allegations contained in paragraph 20 filed herein.

21. That the Respondent, A-W-BENNETT ENTERPRISES, INC., admits the allegations contained in paragraph 21 filed herein.

22. That the Respondent, A-W-BENNETT ENTERPRISES, INC., admits the allegations contained in paragraph 22 filed herein.

23. That the Respondent, A-W-BENNETT ENTERPRISES, INC., admits the allegations contained in paragraph 23 filed herein.

24. That the Respondent, A-W-BENNETT ENTERPRISES, INC., neither admits nor denies the allegations contained in paragraph 24 filed herein.

25. That the Respondent, A-W-BENNETT ENTERPRISES, INC., neither admits nor denies the allegations contained in paragraph 25 filed herein.

26. That the Respondent, A-W-BENNETT ENTERPRISES, INC., denies the allegations contained in paragraph 26 filed herein.

WHEREFORE, Respondent, A-W-BENNETT ENTERPRISES, INC., respectfully

requests as follows:

A. That the Complaint, filed herein, be dismissed as to A-W-BENNETT ENTERPRISES, INC.

B. That this Board order such other relief as in equity and justice it shall deem proper.

A-W-BENNETT ENTERPRISES, INC., Respondent

BY: VELLA & LUND, P.C.

By: ANDREW J. VELLA
ANDREW J. VELLA

Prepared by:

VELLA & LUND, P. C.
by ANDREW J. VELLA
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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
-vs-)	PCB No. 19-112
)	
MARINO DEVELOPMENT LLC,)	
an Arizona limited liability company, and)	
A-W-BENNETT ENTERPRISES, INC.)	
an Oregon corporation,)	
)	
)	
Respondents.)	NOTICE OF FILING AND CERTIFICATE OF SERVICE

TO: STATE OF ILLINOIS
c/o Atty Christopher Grant
email: CGrant@atg.state.il.us

YOU ARE HEREBY NOTIFIED that on the 26nd day of August, 2019, we delivered via email to the above-named this Notice of Filing and Certificate of Service along with the Defendant's Response.

ANDREW J. VELLA
ANDREW J. VELLA

PROOF OF SERVICE

I certify that a copy of the Notice of Filing and Certificate of Service and Defendant's Appearance were served via email upon the above-named at or about the hour of 1:00 p.m., on the 26nd day of August, 2019.

ANDREW VELLA
Andrew Vella

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