

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)	
by LISA MADIGAN, Attorney)	
General of the State of Illinois,)	
)	
Complainant,)	
)	
v.)	PCB No. 17-46
)	(Enforcement-Land)
DEMOLITION EXCAVATING GROUP,)	
INC., a dissolved Illinois corporation,)	
RHONDA FISHER, and EDWARD)	
FISHER,)	
)	
Respondents.)	

NOTICE OF FILING

To: See attached service list

PLEASE TAKE NOTICE that on June 22, 2017, I electronically filed with the Clerk of the Pollution Control Board of the State of Illinois, Notice of Filing and Complainant's Reply to Respondents' Answer, a copy of which is attached hereto and herewith served upon you.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS,

Complainant,

By: s/Matthew Walker

Matthew Walker, #6324810
Assistant Attorney General
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mwalker@atg.state.il.us
ebs@atg.state.il.us

Dated June 22, 2017

CERTIFICATE OF SERVICE

I hereby certify that I did on June 22, 2017, send by United States Mail, with postage thereon fully prepaid, by depositing in a United States Post Office Box in Springfield, Illinois as indicated and via electronic mail as indicated, a true and correct copy of the document entitled Notice of Filing and Complainant's Reply to Respondent's Answer to:

Demolition Excavating Group, Inc.
c/o Rhonda Fisher, President
7841 Warner Road
Manito, IL 61546
VIA U.S. Mail

Attorney for Respondents Edward and Rhonda Fisher:
Gerald L. Hall, Esq.
524 Court Street
Pekin, IL 61554
VIA U.S. Mail

Carol Webb
Hearing Officer
Carol.Webb@illinois.gov
VIA Electronic Mail

s/Theresa M. Flinn
Theresa M. Flinn
Administrative Secretary
Environmental Bureau

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this Certificate of Service are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.

s/Theresa M. Flinn
Theresa M. Flinn
Administrative Secretary
Environmental Bureau

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB No. 2017-046
)	(Enforcement-Land)
DEMOLITION EXCAVATING GROUP, INC.,)	
a dissolved Illinois corporation,)	
RHONDA FISHER, and EDWARD FISHER,)	
)	
Respondents.)	

COMPLAINANT'S REPLY TO RESPONDENT'S ANSWER

Now comes the Complainant, PEOPLE OF THE STATE OF ILLINOIS, *ex rel.* LISA MADIGAN, Attorney General of the State of Illinois, and as its Reply to the Answer of Respondents RHONDA FISHER and EDWARD FISHER states as follows:

COUNT I
OPEN DUMPING

- 1-5. No reply required.
6. Complainant denies that Edward Fisher was an unpaid consultant and that Rhonda Fisher was Demolition Excavating Group, Inc.'s ("DEG") sole shareholder, but admits that Rhonda Fisher was a director and employee of DEG.
7. No reply required.
8. The affirmative allegations of this Paragraph of Respondent's Answer constitute a legal conclusion and a reply is not required.
9. No reply required.
10. The affirmative allegations of this Paragraph of Respondent's Answer constitute a legal conclusion and a reply is not required.

11. The affirmative allegations of this Paragraph of Respondent's Answer constitute a legal conclusion and a reply is not required.

12. The affirmative allegations of this Paragraph of Respondent's Answer constitute a legal conclusion and a reply is not required.

13. Complainant admits that Edward Fisher participated in backfilling at the Site, but has insufficient knowledge as to whether it was done with proper material.

14. The affirmative allegations of this Paragraph of Respondent's Answer constitute a legal conclusion and a reply is not required.

15. The affirmative allegations of this Paragraph of Respondent's Answer constitute a legal conclusion and a reply is not required.

16. The affirmative allegations of this Paragraph of Respondent's Answer constitute a legal conclusion and a reply is not required.

17. The affirmative allegations of this Paragraph of Respondent's Answer constitute a legal conclusion and a reply is not required.

18. Complainant has insufficient knowledge to reply to the affirmative allegations in this Paragraph of Respondent's Answer.

19–21. No reply required.

22–26. Complainant has insufficient knowledge to reply to the affirmative allegations in these Paragraphs of Respondent's Answer.

27. No reply required.

28. No reply required.

29. No reply required.

30. No reply required.

31. No reply required.

32–33. No reply required.

34. Complainant has insufficient knowledge to reply to the affirmative allegations in this Paragraph of Respondent's Answer.

35–38. No reply required.

39. Complainant denies the affirmative allegations of this Paragraph of Respondent's Answer.

40. No reply required.

41. No reply required.

42–46. No reply required.

47. The affirmative allegations of this Paragraph of Respondent's Answer constitute a legal conclusion and a reply is not required.

48. No reply required.

49–50. No reply required.

51. No reply required.

52–53. No reply required.

54. No reply required.

55–56. No reply required.

57. No reply required.

COUNT II
OPEN DUMPING RESULTING IN LITTER

1–52. Complainant restates its replies to paragraphs 1–52 of Respondent's Answer in Count I.

53–54. No reply required.

55–57. No reply required.

58. No reply required.

COUNT III
OPEN DUMPING OF DEMOLITION DEBRIS

1–52. Complainant restates its replies to paragraphs 1–52 of Respondent’s Answer in
Count I.

53–54. No reply required.

55–58. No reply required.

59. No reply required.

COUNT IV
FAILURE TO FILE AN INITIAL FACILITY REPORT

1–52. Complainant restates its replies to paragraphs 1–52 of Respondent’s Answer in
Count I.

53–56. No reply required.

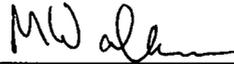
57–64. No reply required.

65. No reply required.

PEOPLE OF THE STATE OF ILLINOIS,

ex rel. LISA MADIGAN, Attorney
General of the State of Illinois,

MATTHEW J. DUNN, Chief
Environmental Enforcement/
Asbestos Litigation Division

By: 

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