

ORIGINAL

BEFORE THE POLLUTION CONTROL BOARD
OF THE STATE OF ILLINOIS

RECEIVED

CLERK'S OFFICE

SEP 15 2003

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

STATE OF ILLINOIS
Pollution Control Board

Complainant,

AC

04-06

vs.

(IEPA No. 391-03-AC)

MARY LOU RECORD and
H. FRANK RECORD,

Respondents.

NOTICE OF FILING

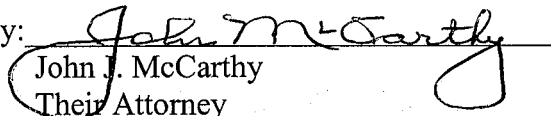
To: State of Illinois
Pollution Control Board
Attn: Clerk
100 West Randolph Street
James R. Thompson Center
Suite 11-500
Chicago, Illinois 60601-3218

Ms. Michelle M. Ryan
Assistant Counsel
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P. O. Box 19276
Springfield, Illinois 62794-9276

PLEASE TAKE NOTICE that on Friday, September 12, 2003, I filed via U. S. Mail with the Office of the Clerk of the Pollution Control Board of the State of Illinois an Entry of Appearance and Petition for Review, copies of which are attached hereto and herewith served upon you.

Respectfully submitted,

Mary Lou Record and H. Frank Record,
Respondents

By: 
John J. McCarthy
Their Attorney

JOHN J. McCARTHY
Attorney at Law
45 East Side Square
Suite 301
Canton, Illinois 61520
Telephone: (309) 647-7477
Facsimile: (309) 647-7482

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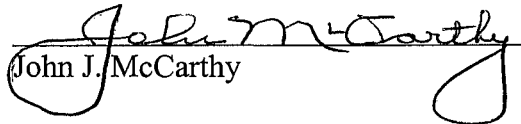
CERTIFICATE OF SERVICE

I, JOHN J. McCARTHY, hereby certify that I served the within Entry of Appearance and
Petition for Review by mailing a copy of the same to each of the individuals identified below on
the 12th day of September, 2003 at 5:00 p.m. in envelopes plainly addressed to:

State of Illinois
Pollution Control Board
Attn: Clerk
100 West Randolph Street
James R. Thompson Center
Suite 11-500
Chicago, Illinois 60601-3218

Ms. Michelle M. Ryan
Assistant Counsel
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P. O. Box 19276
Springfield, Illinois 62794-9276

which were deposited in the United States Post Office in Canton, Illinois, proper postage fully
prepaid.


John J. McCarthy

JOHN J. McCARTHY
Attorney at Law
45 East Side Square
Suite 301
Canton, Illinois 61520
Telephone: (309) 647-7477
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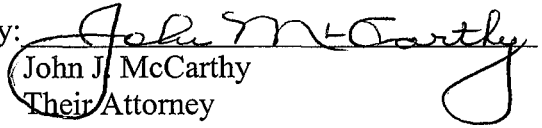
(IEPA No. 391-03-AC)

ENTRY OF APPEARANCE

Now comes JOHN J. McCARTHY, Attorney at Law, and enters his appearance on behalf
of the Respondents, Mary Lou Record and H. Frank Record.

Respectfully submitted,

Mary Lou Record and H. Frank Record,
Respondents

By: 
John J. McCarthy
Their Attorney

JOHN J. McCARTHY
Attorney at Law
45 East Side Square
Suite 301
Canton, Illinois 61520
Telephone: (309) 647-7477
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ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
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Complainant,)
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vs.)
)
MARY LOU RECORD and)
H. FRANK RECORD,)
)
Respondents.)

AC 04-06
(IEPA No. 391-03-AC)

PETITION FOR REVIEW

Now comes the Respondents, MARY LOU RECORD and H. FRANK RECORD, by their attorney, JOHN J. McCARTHY, and for their Petition to Review the Administrative Citation issued by the Illinois Environmental Protection Agency pursuant to Section 31.1 of the Illinois Environmental Protection Act, 415 ILCS 5/31.1, state as follows:

1. That the Illinois Pollution Control Board has jurisdiction over the subject matter herein and the parties hereto.
2. That the Respondents believe the Administrative Citation was improperly issued because the Respondents did not cause or allow the alleged violations and the alleged violations were the result of uncontrollable circumstances.

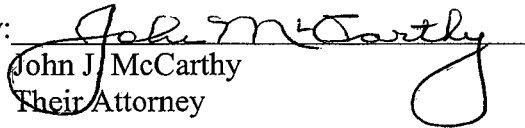
WHEREFORE, the Respondents, MARY LOU RECORD and H. FRANK RECORD, pray as follows:

- A. That the Administrative Citation filed herein by the Illinois Environmental Protection Agency may be dismissed and that the relief for which prayer is therein made may be denied.

B. That the Respondents may have such other relief as the Illinois Pollution Control Board may deem equitable and just.

DATED this 12th day of September, 2003.

Mary Lou Record and H. Frank Record,
Respondents

By: 
John J. McCarthy
Their Attorney

JOHN J. McCARTHY
Attorney at Law
45 East Side Square
Suite 301
Canton, Illinois 61520
Telephone: (309) 647-7477
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