

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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OCT 29 2003

STATE OF ILLINOIS
Pollution Control Board

PEOPLE OF THE STATE OF ILLINOIS,)
)
 Complainant,)
)
 -vs-)
)
 RIVERDALE RECYCLING, INC.,)
 an Illinois corporation, and)
 TRI-STATE DISPOSAL, INC.,)
 an Illinois corporation,)
)
 Respondents.)

No. PCB 03 - 73
(Enforcement)

TO: Mr. Mark La Rose
Ms. Clarissa C. Grayson
Attorneys at Law
734 North Wells Street
Chicago, IL 60610

Mr. Brad Halloran
Hearing Officer
Pollution Control Board
100 W. Randolph, Ste. 11-500
Chicago, IL 60601

Ms. Dorothy Gunn, Clerk, Illinois Pollution Control Board
100 W. Randolph, Ste. 11-500, Chicago, IL 60601

NOTICE OF FILING

PLEASE TAKE NOTICE that we have today, October 29, 2003 filed an original and nine copies of COMPLAINANT'S RESPONSE TO AFFIRMATIVE DEFENSES with Ms. Dorothy Gunn, Clerk of the Illinois Pollution Control Board, 100 W. Randolph, Suite 11-500, Chicago, IL. 60601, a copy of which is attached herewith and served upon you.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS

LISA MADIGAN
Attorney General of the
State of Illinois

BY: Paula Becker Wheeler
PAULA BECKER WHEELER
Assistant Attorney General
Environmental Bureau
188 W. Randolph St., 20th Flr.
Chicago, IL 60601
(312) 814-1511

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RESPONSE TO AFFIRMATIVE DEFENSES

Complainant, PEOPLE OF THE STATE OF ILLINOIS, by LISA MADIGAN,
Attorney General of the State of Illinois, hereby responds to the
First Affirmative Defense and Second Affirmative Defense set forth in
the Supplemental Answer of Respondents, RIVERDALE RECYCLING, INC. and
TRI-STATE DISPOSAL, INC., as follows:

1ST GENERAL AFFIRMATIVE DEFENSE

RESPONSE: Denied, and Complainant demands strict proof thereof.

2ND AFFIRMATIVE DEFENSE TO COUNT II

RESPONSE: Denied, and Complainant demands strict proof thereof.

Respectfully submitted,

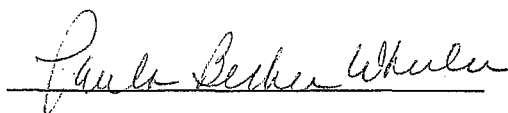
LISA MADIGAN
Attorney General
State of Illinois

By: Paula Becker Wheeler
PAULA BECKER WHEELER
Assistant Attorney General

Environmental Bureau
188 W. Randolph St., 20th Fl.
Chicago, Illinois 60601
(312) 814-1511

CERTIFICATE OF SERVICE

I, PAULA BECKER WHEELER, an attorney, do certify that I caused to be served this 29th day of October, 2003, the foregoing Complainant's Response to Affirmative Defenses and Notice of Filing upon the persons listed on said Notice, by placing the same in the U.S. Mail, postage prepaid, at 188 W. Randolph, Chicago, IL 60601.



PAULA BECKER WHEELER