

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
ADMINISTRATIVE CITATION

RECEIVED
CLERK'S OFFICE

AUG 17 2004

STATE OF ILLINOIS
Pollution Control Board

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	AC 05-05
)	
v.)	(IEPA No. 314-04-AC)
)	
ROBERT and PHYLIS ULRICH and)	
BOB ULRICH PALLET, INC.,)	
)	
Respondents.)	

NOTICE OF FILING

To:

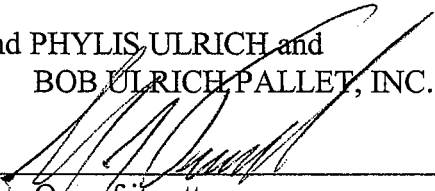
Dorothy Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street, Suite 11-500
Chicago, IL 60601

Michelle M. Ryan, Special Assistant Attorney General
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P. O. Box 19276
Springfield, IL 62794-9276

Please take notice on this 16th day of August, 2004, I sent by Federal Express for filing with the Clerk of Pollution Control Board of the State of Illinois, the following instruments:

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

ROBERT and PHYLIS ULRICH and
BOB ULRICH PALLET, INC.,

By  _____
One of its attorneys

Gerald L. Timmerwilke
BLICKHAN, WOODWORTH & TIMMERWILKE
435 Hampshire Street
Quincy, IL 62301
Telephone (217) 221-4200

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BOB ULRICH PALLET, INC.,)
)
Respondents.)

CERTIFICATE OF SERVICE

I, Gerald L. Timmerwilke, attorney for Robert and Phylis Ulrich and Bob Ulrich Pallet, Inc., do hereby certify that I did on the 16th day of August, 2004, send by Federal Express, a trust and correct copy of the following instruments:

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

By mailing the original and nine (9) true copies of same to:

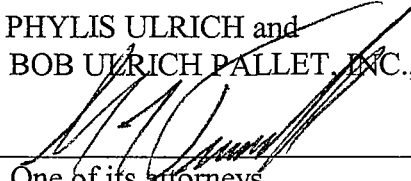
Dorothy Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street, Suite 11-500
Chicago, IL 60601

and one (1) copy of the same to:

Michelle M. Ryan, Special Assistant Attorney General
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P. O. Box 19276
Springfield, IL 62794-9276

ROBERT and PHYLIS ULRICH and
BOB ULRICH PALLET, INC.,

By _____


One of its attorneys

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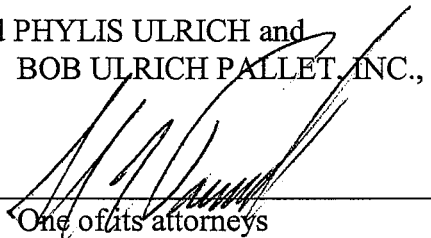
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)	
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BOB ULRICH PALLET, INC.,)	
)	
Respondents.)	

NOTICE OF APPEARANCE

I, Gerald L. Timmerwilke, do hereby enter my appearance in this cause for Robert and Phyllis Ulrich of 5910 Dove Lane, Quincy, Illinois 62305, and Bob Ulrich Pallet, Inc. of 5910 St. Anthony Road West, Quincy, Illinois 62301.

ROBERT and PHYLLIS ULRICH and
BOB ULRICH PALLET, INC.,

By _____


One of its attorneys

Gerald L. Timmerwilke
BLICKHAN, WOODWORTH & TIMMERWILKE
435 Hampshire Street
Quincy, IL 62301
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ROBERT and PHYLLIS ULRICH and)
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)
Respondents.)

PETITION FOR REVIEW

Now comes Robert and Phylis Ulrich, and Bob Ulrich Pallet, Inc., a corporation, by Blickhan, Woodworth & Timmerwilke, its attorneys, and petitions the Honorable Illinois Pollution Control Board for review in this cause and in support thereof states:

1. Robert and Phylis Ulrich are the present owners of the property as alleged in Paragraph 1. Bob Ulrich Pallet, Inc. is the not the owner.
2. Denied.
3. Respondents, Robert and Phylis Ulrich, own said property and at times, Bob Ulrich Pallet, Inc. has operated said property.
4. Respondent's admit Charles King made an inspection as set forth and admit that a copy of his report is attached, but deny the remaining allegations, including the civil penalty imposed.

ISSUES FOR REVIEW

- A. Bob Ulrich Pallet, Inc., a corporation, does not own the property.
- B. Robert and Phylis Ulrich did not individually cause or allow any such alleged

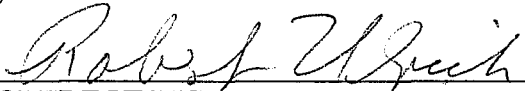
violations. Any alleged violations would be as a result of the cause or allowance by Bob Ulrich Pallet, Inc.

C. The Complaint was timely filed and Notice was duly given.

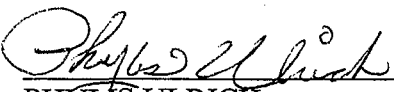
D. Respondent, Robert Ulrich requested additional time to cure the alleged complaints. Additional time was given. Respondents' daughters underwent serious medical conditions this past winter including both receiving heart pacemakers with numerous hospitalizations. One daughter's care was local, in Springfield, Illinois, and the Mayo Clinic in Minnesota. The other daughter's care was local and also in Mayo Clinic in Minnesota. Respondent, Robert Ulrich, never denied that he would voluntarily cure the alleged conditions as requested by the Illinois Environmental Protection Agency. He has subsequently cured all conditions as alleged to his knowledge and is awaiting inspection on August 26, 2004.

The undersigned hereby state that they have read the foregoing Petition for review and believe that the same true in substance and in fact to the best of the knowledge and belief.

Dated this 16 day of August, 2004.

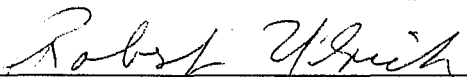


ROBERT ULRICH



PHYLLIS ULRICH

BOB ULRICH PALLET, INC., a corporation,

By 

ROBERT ULRICH, Its president

Gerald L. Timmerwilke
BLICKHAN, WOODWORTH & TIMMERWILKE
435 Hampshire Street
Quincy, IL 62301
Telephone (217) 221-4200