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STATE OF ILLINOIS
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION BOARD

ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,)
)
v.)
)
CHARLES L. RIGGINS,)
)
Respondent.)

AC 05-29

(IEPA No. 464-04-AC)

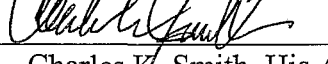
NOTICE OF FILING

To: Clerk of the Illinois Pollution Control Board
State of Illinois Center
100 West Randolph, Suite 11-500
Chicago, IL 61601

Susan E. Konzelmann, Legal Assistant
Illinois Environmental Protection Agency's Division of Legal Counsel
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

PLEASE TAKE NOTICE that on this date I mailed for filing with the Clerk of the Pollution Board of the State of Illinois the following instrument(s) entitled PETITION FOR REVIEW OF ADMINISTRATIVE CITATION, PROOF OF SERVICE AND NOTICE OF APPEARANCE.

CHARLES L. RIGGINS, Respondent

BY 
Charles K. Smith, His Attorney

CHARLES K. SMITH
Attorney at Law
Attorney for Respondent
420 S. Promenade
P.O. Box 470
Havana, IL 62644
Telephone: (309) 543-3387
Facsimile: (309) 543-3888

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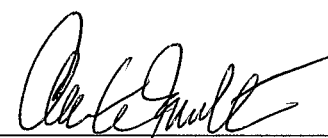
ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,)
)
v.)
)
CHARLES L. RIGGINS,)
)
Respondent.)

AC 05-29
(IEPA No. 464-04-AC)

NOTICE OF APPEARANCE

I, CHARLES K. SMITH, Attorney At Law, do hereby enter my appearance as
Attorney of Record for the Respondent, CHARLES L. RIGGINS, in the above entitled matter.



CHARLES K. SMITH

CHARLES K. SMITH
Attorney At Law
Attorney for Defendant
420 South Promenade Street
P.O. Box 470
Havana, Illinois 62644
Telephone: (309) 543-3387
Facsimile: (309) 543-3888

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STATE OF ILLINOIS
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION BOARD

ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Complainant,)
)
 v.)
)
 CHARLES L. RIGGINS,)
)
 Respondent.)

AC 05-29
 (IEPA No. 464-04-AC)

PETITION FOR REVIEW OF ADMINISTRATIVE CITATION


Now comes Respondent, CHARLES L. RIGGINS, by his Attorney, Charles K. Smith, and files this Petition for Review of Administrative Citation pursuant to Section 31.1(d)(1) of the Act, 415 ILCS 5/31.1(d)(1)(2002), and in support thereof, states as follows:

1. Plaintiff has filed a Administrative Citation under authority vested in the Illinois Environmental Protection Agency by the aforesaid Section.
2. Plaintiff contends that Respondent has caused or allowed the open dumping of waste in a manner resulting in litter and alleges that Respondent has violated Section 21(p)(1) of the Act, 415 ILCS 5/21(p)(1)(2002), seeking to subject Respondent to a civil penalty of \$1,500.00.
3. Respondent does hereby contest the Administrative Citation. It is Respondent's contention that he has not violated such Section of said Act and does hereby request an Adjudicatory Hearing to be held and that Respondent have such other and further relief as allowed by said Act.

WHEREFORE, Respondent, CHARLES L. RIGGINS, requests that this matter be


scheduled for an Adjudicatory Hearing.

CHARLES L. RIGGINS, Respondent

BY 
Charles K. Smith, his Attorney

STATE OF ILLINOIS)
 : SS
COUNTY OF MASON)

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 instrument are true and correct, except as to matters therein stated to be on information and belief, and as to such matters that the undersigned certifies as aforesaid that he, CHARLES K. SMITH, verily believes the same to be true.


CHARLES K. SMITH, Attorney

CHARLES K. SMITH
Attorney At Law
Attorney for Respondent
420 S. Promenade
P.O. Box 470
Havana, IL 62644
Telephone: (309) 543-3387
Facsimile: (309) 543-3888

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STATE OF ILLINOIS
Pollution Control Board

PROOF OF SERVICE

I hereby certify that I did on the 2nd day of November, 2004, send by U.S. Mail with postage thereon fully prepaid, by depositing in a United States Post Office Box a true and correct copy of the following instrument(s) entitled PETITION FOR REVIEW OF ADMINISTRATIVE CITATION, NOTICE OF FILING AND NOTICE OF APPEARANCE.

TO: Susan E. Konzelmann, Legal Assistant
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

and the original of the same foregoing instrument(s) on the same date by U.S. Mail with postage fully prepaid

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



Charles K. Smith, Attorney

CHARLES K. SMITH
Attorney At Law
Attorney for Respondent
420 S. Promenade
P.O. Box 470
Havana, IL 62644
Telephone: (309) 543-3387
Facsimile: (309) 543-3888

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STATE OF ILLINOIS
Pollution Control Board

Other Office Location
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Petersburg, IL 62675
Telephone: 217/632-7750
Facsimile: 217/632-2532
kimsmith@gcctv.com

CHARLES K. SMITH
ATTORNEY AT LAW

420 South Promenade Street
Post Office Box 470
Havana, Illinois 62644
Telephone: 309/543-3387
Facsimile: 309/543-3888

E-Mail Address: kimsmith@casscomm.com

November 2, 2004

Susan E. Konzelmann, Legal Assistant
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

RE: Illinois Environmental Protection Agency vs. Charles L. Riggins
IEPA File No. 464-04-AC
1250105007 - Mason County

Dear Ms. Konzelmann:

Enclosed please find a copy of Petition for Review of Administrative Citation, Notice of Filing, Notice of Appearance and Proof of Service I am filing with the Clerk of the Illinois Pollution Control Board. Should you have any questions, please contact me. Thank you.

Sincerely yours,



Charles K. Smith

CKS/gm

Encls.

cc: Clerk of the Illinois Pollution Control Board