

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD **RECEIVED**
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DEC 22 2004

STATE OF ILLINOIS
Pollution Control Board

VILLAGE OF LAKE BARRINGTON, CUBA)
TOWNSHIP, PRAIRIE RIVERS NETWORK,)
SIERRA CLUB, BETH WENTZEL and)
CYNTHIA SKRUKRUD,)

Petitioners)

v.)

ILLINOIS ENVIRONMENTAL PROTECTION)
AGENCY and VILLAGE OF WAUCONDA,)

Respondents.)

PCB 05-55
(3rd Party NPDES Permit
Appeal)

SLOCUM LAKE DRAINAGE DISTRICT OF)
LAKE COUNTY, ILLINOIS)

Petitioner)

v.)

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY AND VILLAGE OF)
WAUCONDA, ILLINOIS)

Respondents.)

PCB 05-58
(3rd Party NPDES Permit
Appeal)

AL PHILLIPS, VERN MEYER, GAYLE DEMARCO,)
GABRIELLE MEYER, LISA O'DELL, JOAN LESLIE,)
MICHAEL DAVEY, NANCY DOBNER, MIKE)
POLITO, WILLIAMS PARK IMPROVEMENT)
ASSOCIATION, MAT SCHLUETER, MYLITH PARK)
LOT OWNERS ASSOCIATION, DONALD KREBS,)
DON BERKSHIRE, JUDY BRUMME, TWIN POND)
FARMS HOMEOWNERS ASSOCIATION, JULIA)
TUDOR and CHRISTINE DEVINEY,)

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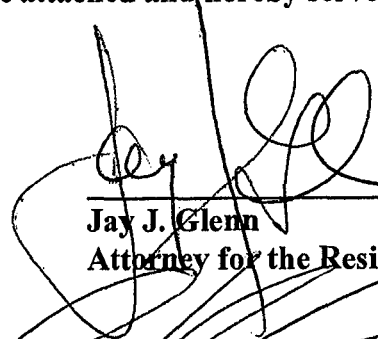
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(3rd Party NPDES Permit
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(Consolidated)

NOTICE OF MOTION

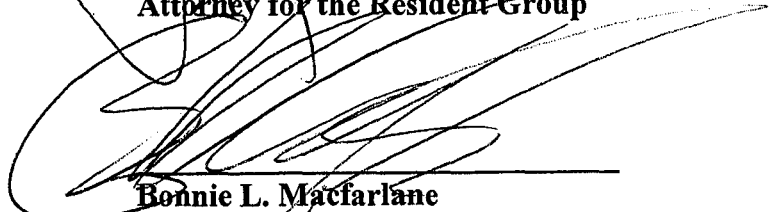
TO: See Attached Certificate of Service

Please take notice that on December 22, 2004, I filed with the Illinois Pollution Control Board an original and four (4) copies of the attached MOTION TO COMPEL THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY TO PRODUCE THE VIOLATION AND LITIGATION RECORD, copies of which are attached and hereby served upon you.

Dated: December 22, 2004



Jay J. Glenn
Attorney for the Resident Group



Bonnie L. Macfarlane
Attorney for the Slocum Lake
Drainage District of Lake County,
Illinois

Bonnie L. Macfarlane
BONNIE MACFARLANE, P.C.
106 W. State Road, P.O. Box 268
Island Lake, Illinois 60042
847-487-0700
Attorney No. 06205127

STATE OF ILLINOIS)
) ss.
COUNTY OF MCHENRY)

CERTIFICATE OF SERVICE

Bonnie L. Macfarlane, an attorney, hereby certifies that a copy of the foregoing Notice of Motion, Certificate of Service, and MOTION TO COMPEL THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY TO PRODUCE THE VIOLATION AND LITIGATION RECORD, was served on the persons listed below by first Class U.S. Mail, proper postage prepaid, on December 22, 2004.

Dorothy Gunn, Clerk
Illinois Pollution Control Board
100 West Randolph Street
Suite 11-500
Chicago, Illinois 60601

Bradley P. Halloran
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph St., Ste. 11-500
Chicago, Illinois 60601

Percy L. Angelo
Russell R. Eggert
Kevin G. Desharnais
Mayer, Brown, Rowe & Maw, L.L.P.
190 S. LaSalle Street
Chicago, IL 60603

Albert Ettinger
Environmental Law and Policy Center
35 E. Wacker Drive, Ste. 1300
Chicago, Illinois 60601

William D. Seith
Total Environmental Solutions, P.C.
631 E. Butterfield Road, Ste. 315
Lombard, IL 60148

Sanjay K. Sofat, Asst. Counsel
James Allen Day
Illinois Environmental Protection Agency
1021 North Grand Ave., East
P.O. Box 19276
Springfield, IL 62794-9276



Bonnie L. Macfarlane

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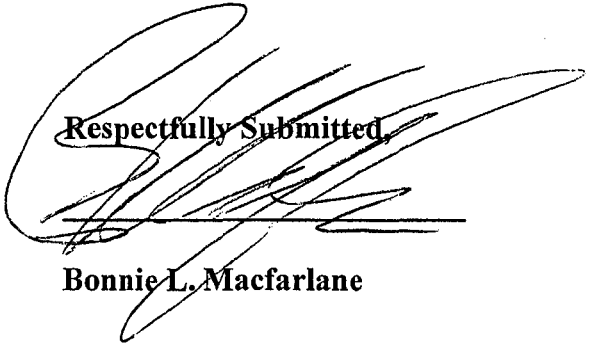
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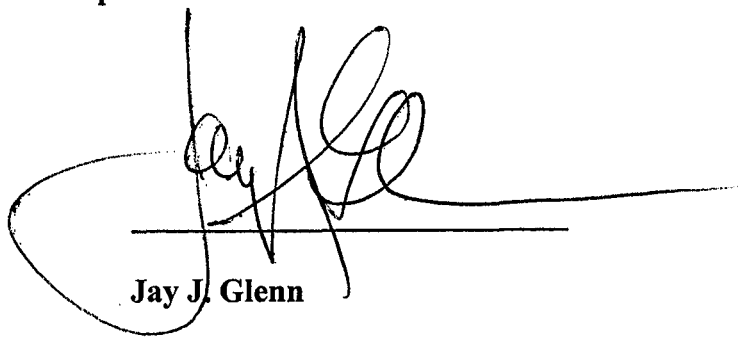
**MOTION TO COMPEL THE ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY TO PRODUCE THE VIOLATION AND
LITIGATION RECORD**

NOW COMES, the Slocum Lake Drainage District of Lake County, Illinois, an agency of the State of Illinois, through their attorney, Bonnie Macfarlane, P.C., and The Resident Group, by and through their attorney, Jay J. Glenn, and moves the Illinois Pollution Control Board for an Order to Compel the Illinois Environmental Protection Agency to Produce the Violations and Litigation Records for the Village of Wauconda's Wastewater Treatment Plant from 1980 to the present.

Respectfully Submitted,



Bonnie L. Macfarlane



Jay J. Glenn

Dated: December 27, 2004

**Bonnie L. Macfarlane
BONNIE MACFARLANE, P.C.
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847-487-0700**

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