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APR 25 2006

STATE OF ILLINOIS
Pollution Control Board

OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

April 21, 2006

The Honorable Dorothy Gunn
Illinois Pollution Control Board
James R. Thompson Center, Ste. 11-500
100 West Randolph
Chicago, Illinois 60601

Re: ***People v. J & S Companies, Inc., et al.***
PCB 06-33

Dear Clerk Gunn:

Enclosed for filing please find the original and ten copies of a Request for Admission of Fact Directed Towards First Choice Construction, Inc., in regard to the above-captioned matter. Please file the original and return a file-stamped copy to me in the enclosed, self-addressed envelope.

Thank you for your cooperation and consideration.

Very truly yours,

Kristen Laughridge Gale
Environmental Bureau
500 South Second Street
Springfield, Illinois 62706
(217) 782-9031

KLG/pp
Enclosures

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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APR 25 2006

STATE OF ILLINOIS
Pollution Control Board

PEOPLE OF THE STATE OF)
ILLINOIS,)

Complainant,)

vs.)

J & S COMPANIES, INC., a Missouri)
corporation, and FIRST CHOICE)
CONSTRUCTION, INC., an Illinois)
corporation,)

Respondents.)

PCB No. 06-33
(Enforcement)

NOTICE OF FILING

To: Mike Bowman
First Choice Construction, Inc.
1932 Townsley Lane
East St. Louis, IL 62204

Tom LeChien
Registered Agent for First Choice
Construction, Inc.
120 W. Main Street, Ste. 110
Belleville, IL 62220

PLEASE TAKE NOTICE that on this date I mailed for filing with the Clerk of the Pollution Control Board of the State of Illinois, a REQUEST FOR ADMISSION OF FACT DIRECTED TOWARDS FIRST CHOICE CONSTRUCTION, INC., a copy of which is attached hereto and herewith served upon you.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS

LISA MADIGAN,
Attorney General of the
State of Illinois

MATTHEW J. DUNN, Chief
Environmental Enforcement/Asbestos
Litigation Division

BY: 

KRISTEN LAUGHRIDGE GALE
Assistant Attorney General
Environmental Bureau

500 South Second Street
Springfield, Illinois 62706
217/782-9031
Dated: April 21, 2006

CERTIFICATE OF SERVICE

I hereby certify that I did on April 21, 2006, send by First Class Mail, with postage thereon fully prepaid, by depositing in a United States Post Office Box a true and correct copy of the following instruments entitled NOTICE OF FILING and REQUEST FOR ADMISSION OF FACT DIRECTED TOWARDS FIRST CHOICE CONSTRUCTION, INC.

To: Mike Bowman
First Choice Construction, Inc.
1932 Townsley Lane
East St. Louis, IL 62204

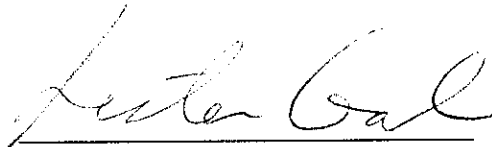
Tom LeChien
Registered Agent for First Choice
Construction, Inc.
120 W. Main Street, Ste. 110
Belleville, IL 62220

and the original and ten copies by First Class Mail with postage thereon fully prepaid of the same foregoing instrument(s):

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

A copy was also sent by First Class Mail with postage thereon fully prepaid to:

Carol Webb
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
Springfield, IL 62794


KRISTEN LAUGHRIDGE GALE
Assistant Attorney General

This filing is submitted on recycled paper.

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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APR 25 2006

STATE OF ILLINOIS
Pollution Control Board

PEOPLE OF THE STATE OF ILLINOIS,)

Complainant,)

vs.)

No. PCB 06-33
(Enforcement-Land)

J & S COMPANIES, INC., a Missouri)

corporation, and FIRST CHOICE)

CONSTRUCTION, INC., an Illinois)

corporation,)

Respondent.)

**REQUEST FOR ADMISSION OF FACT DIRECTED
TOWARDS FIRST CHOICE CONSTRUCTION, INC.**

The PEOPLE OF THE STATE OF ILLINOIS, *ex rel.* LISA MADIGAN, Attorney General of the State of Illinois, pursuant to Supreme Court Rule 216 submits this request for the admission of the truth of the following specified relevant facts within 28 days after service hereof:

1. In 2003, J & S Companies, Inc. hired First Choice Construction, Inc. to haul the construction and demolition debris from the Lansdowne Junior High School demolition site in East St. Louis, St. Clair County, Illinois.

2. Starting on or about February 6, 2003 until about December 3, 2003, First Choice Construction hauled approximately 92 truckloads of construction and demolition debris from the school demolition site to 7401 Bunkum Road, East St. Louis, St. Clair County, Illinois ("disposal site").

3. The construction and demolition debris disposed at the disposal site consisted of brick, metal, plaster, paper, wood, pipe insulation, wire, and rebar.

4. The disposal site is not permitted by the Illinois Environmental Protection Agency

(Illinois EPA) as a sanitary landfill.

Respectfully Submitted,

PEOPLE OF THE STATE OF ILLINOIS,
ex rel. LISA MADIGAN,
Attorney General of the State of Illinois

MATTHEW J. DUNN, Chief
Environmental Enforcement/
Asbestos Litigation Division

By: 

KRISTEN LAUGHRIDGE GALE
Assistant Attorney General
Environmental Bureau

500 South Second Street
Springfield, Illinois 62076
217/782-9031
Dated: