

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

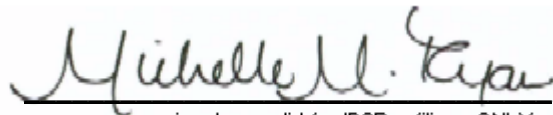
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	AC 05-61
)	
v.)	(IEPA No. 59-05-AC)
)	
TIMOTHY PEARCE,)	
)	
Respondent.)	

NOTICE OF FILING

To: Timothy Pearce
607 Birchwood
Flora, Illinois 62839

PLEASE TAKE NOTICE that on this date I electronically filed with the Clerk of the Pollution Control Board of the State of Illinois the following instrument(s) entitled REQUEST TO ADMIT FACTS.

Respectfully Submitted,



e-signature valid for IPCB e-filings ONLY

Michelle M. Ryan
Special Assistant Attorney General

Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276
(217) 782-5544

Dated: August 15, 2007

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	AC 05-61
)	
v.)	(IEPA No. 59-05-AC)
)	
TIMOTHY PEARCE,)	
)	
Respondent.)	

REQUEST TO ADMIT FACTS

Complainant, the Illinois Environmental Protection Agency (“Illinois EPA”), by and through its attorney, Special Assistant Attorney General Michelle M. Ryan, pursuant to 35 Ill. Adm. Code 101.618, hereby requests that the Respondent, Timothy Pearce (“Respondent”) admit the below-listed facts. **Failure to respond to the following requests to admit within 28 days may have severe consequences. Failure to respond within 28 days will result in all the facts requested being deemed admitted as true for this proceeding. If you have any questions about this procedure, you should contact the hearing officer assigned to this proceeding or an attorney.**

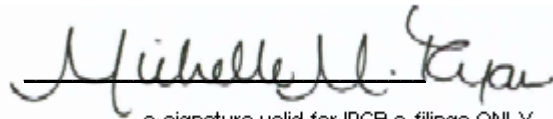
Illinois EPA REQUESTS that Respondent admit the truth of the following facts:

1. On February 16, 2005, Respondent owned the property at 241 North Willow Road, Flora, Clay County, Illinois (“Site”).
2. On February 16, 2005, Respondent operated the Site.
3. On or before February 16, 2005, waste was open dumped on the Site.

4. The waste at the site on February 16, 2005 included general or clean construction or demolition debris.
5. The waste at the Site on February 16, 2005 was placed there by Respondent.
6. Respondent allowed the waste at the Site on February 16, 2005 to be placed there.
7. Respondent had control of the Site at the time the waste was placed there.
8. Respondent had control of the Site at the time the waste was observed on February 16, 2005.
9. Respondent did not have a permit from Illinois EPA to manage waste at the Site.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,
Complainant

DATED: August 15, 2007

A handwritten signature in black ink that reads "Michelle M. Ryan". The signature is written in a cursive style and is positioned above a horizontal line.

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Michelle M. Ryan
Special Assistant Attorney General

Illinois Environmental Protection Agency
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P.O. Box 19276
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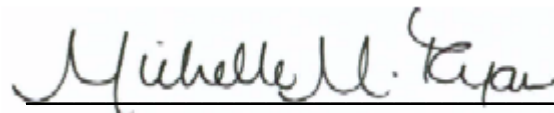
PROOF OF SERVICE

I hereby certify that I did on the 15th day of August, 2006, 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 REQUEST TO ADMIT FACTS

To: Timothy Pearce
607 Birchwood
Flora, Illinois 62839

and an electronic copy of the same foregoing instrument on the same date via electronic filing

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



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Michelle M. Ryan
Special Assistant Attorney General

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