

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
)
 RANDY GRANT)
 DONALD GRANT)
 PATRICIA WALLACE)
)
 Complainants,) PCB 2007-145
)
 v.)
)
 MACH MINING LLC)
)
 Respondent.)

ANSWER

NOW COMES Respondent CLINE RESOURCE AND DEVELOPMENT COMPANY, by and through its attorneys, Sorling, Northrup, Hanna, Cullen & Cochran, Ltd., Charles J. Northrup, of counsel, and hereby answers the Complaint in the above captioned matter.

I. Introduction

The Complaint filed in this matter is a form Complaint provided to Complainants by the Illinois Pollution Control Board. In certain respects the Complaint form and the manner in which it was completed does not facilitate the specific admission or denial of facts required by an Answer. Although Respondent will Answer each of the numbered items in the Complaint, it must be made clear from the outset that Respondent specifically denies all allegations of violations.

In addition, while the Board has identified Cline Resource and Development Company ("Cline") as a Respondent, it appears that the Complaint filed by Complainants does not specifically name Cline as a Respondent. While Cline reserves the right to file a Motion

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excluding them from this matter at the appropriate time, it does file an Answer to in this matter out of an over abundance of caution.

II. Answer

1. Respondent neither admits nor denies the information set out at numbered item 1 as it has insufficient knowledge to form a belief as to accuracy.

2. Respondent neither admits nor denies the information set out at numbered item 2 as it has insufficient knowledge to form a belief as to accuracy.

3. Respondent admits that numbered item 3 sets out the correct address of Mach Mining LLC.

4. Respondent admits that numbered item 4 sets out the type of business and activity of Respondent Mach Mining.

5. Respondent denies that it has violated those sections of the Illinois Environmental Protection Act and associated administrative rules set out at numbered item 5.

6. Respondent denies the factual allegations of the "type of pollution" set out in numbered item 6.

7. Respondent denies the factual allegations of the "duration and frequency of the alleged pollution" set out in numbered item 7.

8. Respondent denies the factual allegations of "bad effects" of the alleged pollution set out in numbered item 8.

9. Respondent denies the need for any "relief" sought by Complainant's as set out in numbered item 9.

10. Respondent neither admits nor denies the information set out at numbered item 10 as it has insufficient knowledge to form a belief as to accuracy.

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11. Respondent neither admits nor denies the information set out at numbered item 11 as it has insufficient knowledge to form a belief as to accuracy.

12. (Numbered item 12 is blank and therefore Respondent makes no Answer as to it.)

III. AFFIRMATIVE DEFENSES

As Respondent's investigation into this matter proceeds it may identify affirmative defenses. Consistent with Board Rule 103.204(d), as affirmative defenses are identified they will be set out in a supplemental Answer prior to hearing. Accordingly, Respondent expressly does not waive any available affirmative defenses it may now, or in the future, have.

Respectfully submitted,

CLINE RESOURCE AND DEVELOPMENT
COMPANY

By: 
One of their attorneys

Sorling, Northrup, Hanna,
Cullen & Cochran, Ltd.
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PROOF OF SERVICE

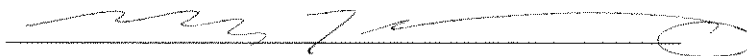
The undersigned hereby certifies that a copy of Respondent's Answer to Complaint was served by U.S. mail addressed:

Ms. Patricia Wallace
17235 Liberty School Road
Marion, IL 62959

Mr. Randy Grant
17235 Liberty School Road
Marion, IL 62959

Mr. Donald Grant
17712 Dean Road
Johnston City, IL 62951

with all postage prepaid on the 16th day of August, 2007.

A handwritten signature in black ink, appearing to be "M. J. Grant", written over a horizontal line.