

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

**RECEIVED**  
CLERK'S OFFICE

AUG 21 2007

STATE OF ILLINOIS  
Pollution Control Board

ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
 )  
Complainant, )  
 )  
v. )  
CAROL G. PRIEB, )  
By MARGARET DILLAVOU, )  
guardian for Carol G. Prieb, )  
Respondent. )

~~IEPA~~ Docket No. AC08-1

**PETITION FOR REVIEW**

COMES NOW the respondent, Margaret Dillavou, by and through her attorney, Susan Burger, and and petitions the Illinois Polution Control Board for Review of its Administrative Citation, IEPA no. 173-07-AC. In support whereof it is stated:

1. The respondent denies that she has committed the violations set forth in the Administrative Citation under "Violations", paragraphs (1) and (2) therein.
2. The respondent further complains that the agents for IEPA entered onto private land in October of 2006, without the consent of Margaret Dillavou or any other person, and violated her right to privacy.
3. Respondent further complains that because the initial intrusion was unlawful, all subsequent re-entries upon the land were also unlawful.
4. Respondent further denies that any environmental damage has been done as defined by the Act, and that the activities of Maragaret Dillavou and her family, on property which they occupy as homeowners, is not encompassed by the provisions of the IEPA.
5. Respondent asserts that if indeed there are any violations of the IEPA, there were uncontrollable circumstances, including excessive rain and later, crops, both of which prevented the landowner from gaining access with a backhoe.

**WHEREFORE**, the respondent prays:

- A. That the Administrative Citation be denied and dismissed.
- B. For such other relief as may be deemed just.

Margaret Dillavou

By: *Susan Burger*  
Susan Burger

Susan Burger  
Attorney at Law  
105 Willards Ferry Road  
Jonesboro, Illinois 62952  
618-833-8677  
618-833-9818 (fax)

**PROOF OF SERVICE**

The undersigned certifies that a copy of the foregoing instrument was served upon the Attorney of record of all parties to the above cause by enclosing the same in an envelope addressed to such Attorneys at their business address as disclosed by the pleadings of record herein, with postage fully prepaid, and by depositing said envelope in a U.S. Post Office in Jonesboro, Illinois, on the 20<sup>th</sup> day of August, 2007.

*Susan Burger*

*via  
o/w  
mail*