

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)	
LISA MADIGAN, Attorney General of)	
the State of Illinois,)	
)	
Complainant,)	
)	
vs.)	PCB 07-133
)	Enforcement-Water
THOMAS P. MATHEWS, an individual,)	
)	
Respondent.)	

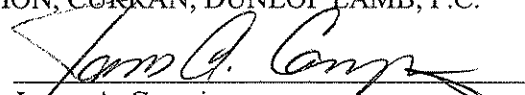
NOTICE OF ELECTRONIC FILING

To: Andrew Armstrong
Assistant Attorney General
Environmental Bureau
69 West Washington St., Suite 1800
Chicago, IL 60602

PLEASE TAKE NOTICE that on the 12th day of February, 2008, I filed with the Clerk of the Illinois Pollution Control Board a Response to Complainant's First Request for Admission of Facts and Genuineness of Documents, a copy of which is attached hereto and is hereby served upon you.

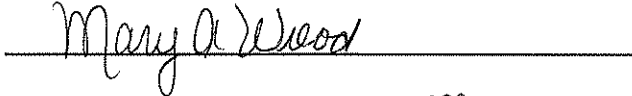
CAMPION, CURRAN, DUNLOP LAMB, P.C.

By:



James A. Campion

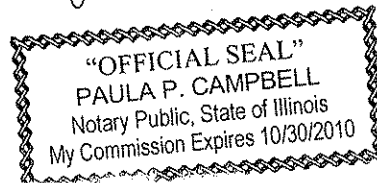
PROOF OF SERVICE

I, the undersigned, on oath state, that I served the foregoing Notice of Filing and Response to Complainant's First Request for Admission of Facts and Genuineness of Documents by mailing a true copy to the address shown above with proper postage prepaid this 12th day of February, 2008.



SUBSCRIBED and SWORN to before me
this 12th day of February, 2008.


Notary Public



CAMPION, CURRAN, DUNLOP & LAMB, P.C.
Attorney for Respondent
8600 U.S. Highway 14, Suite 201
Crystal Lake, IL 60012
(815) 459-8440

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)
LISA MADIGAN, Attorney General of)
the State of Illinois,)
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Complainant,)
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vs.) PCB 07-133
) Enforcement-Water
THOMAS P. MATHEWS, an individual,)
)
Respondent.)

**RESPONSE TO COMPLAINANT'S FIRST REQUEST
FOR ADMISSION OF FACTS AND GENUINENESS OF DOCUMENTS**

NOW COMES the Respondent, THOMAS P. MATHEWS, by and through his attorneys, CAMPION, CURRAN, DUNLOP & LAMB, P.C., and in response to Complainant's First Request for Admission of Facts and Genuineness of Documents states as follows:

Fact No. 1: Admit that soil is solid matter.

Response: Admits, assuming Respondent's understanding of solid matter.

Fact No. 2: Admit that stone is solid matter.

Response: Admits, assuming Respondent's understanding of solid matter.

Fact No. 3: Admit that Respondent has owned the Site from at least April 22, 2005 through the present.

Response: Admits.

Fact No. 4: Admit that Respondent has exercised control over the Site from at least April 22, 2005 through the present.

Response: Admits.

Fact No. 5: Admit that there were one or more piles of soil, stone, and/or fill materials on the

Site on April 22, 2005.

Response: Admits that there were one or more piles of soil and stone on portions of the Site, but denies that it was on all portions of the Site.

Fact No. 6: Admit that there were one or more piles of soil, stone, and/or other fill materials on the Site from April 22, 2005 to April 27, 2005.

Response: Admits that there were one or more piles of soil and stone on portions of the Site, but denies that it was on all portions of the Site.

Fact No. 7: Admit that there were one or more piles of soil, stone, and/or other fill materials on the Site on April 27, 2005.

Response: Admits that there were one or more piles of soil and stone on portions of the Site, but denies that it was on all portions of the Site.

Fact No. 8: Admit that there were one or more piles of soil, stone, and/or other fill materials on the Site from April 27, 2005 to May 5, 2005.

Response: Admits that there were one or more piles of soil and stone on portions of the Site, but denies that it was on all portions of the Site.

Fact No. 9: Admit that there were one or more piles of soil, stone, and/or other fill materials on the Site on May 5, 2005

Response: Admits that there were one or more piles of soil and stone on portions of the Site, but denies that it was on all portions of the Site.

Fact No. 10: Admit that there were one or more piles of soil, stone, and/or other fill materials on the Site from May 5, 2005 to July 28, 2005.

Response: Admits that there were one or more piles of soil and stone on portions of the Site,

but denies that it was on all portions of the Site.

Fact No. 11: Admit that there were one or more piles of soil, stone, and/or other fill materials on the Site on July 28, 2005.

Response: Admits that there were one or more piles of soil and stone on portions of the Site, but denies that it was on all portions of the Site.

Fact No. 12: Admit that there were one or more piles of soil, stone, and/or other fill materials on the Site from July 28, 2005 to August 5, 2006.

Response: Admits that there were one or more piles of soil and stone on portions of the Site, but denies that it was on all portions of the Site.

Fact No. 13: Admit that there were one or more piles of soil, stone, and/or other fill materials on the Site on August 5, 2006.

Response: Admits that there were one or more piles of soil and stone on portions of the Site, but denies that it was on all portions of the Site.

Fact No. 14: Admit that there were one or more piles of soil, stone, and/or other fill materials on the Site from August 5, 2006 to August 30, 2006.

Response: Admits that there were one or more piles of soil and stone on portions of the Site, but denies that it was on all portions of the Site.

Fact No. 15: Admit that there were one or more piles of soil, stone, and/or other fill materials on the Site on August 30, 2006.

Response: Admits that there were one or more piles of soil and stone on portions of the Site, but denies that it was on all portions of the Site.

Fact No. 16: Admit that there were one or more piles of soil, stone, and/or other fill materials

on the Site from August 30, 2006 to May 11, 2007.

Response: Admits that there were one or more piles of soil and stone on portions of the Site, but denies that it was on all portions of the Site.

Fact No. 17: Admit that there is a ditch situated immediately to the south of the Site.

Response: Denies.

Fact No. 18: Admit that there is a ditch situated immediately to the south of the Site through which water flows intermittently.

Response: Denies.

Fact No. 19: Admit that there is a ditch situated immediately to the south of the Site through which water flows intermittently in the direction of Wonder Lake.

Response: Denies.

Fact No. 20: Admit that there is a storm ditch on the western edge of the Site.

Response: Admits that there is a storm ditch on the western edge of a portion of the Site.

Fact No. 21: Admit that there is a storm ditch on the western edge of the Site through which water flows intermittently.

Response: Admits that there is a storm ditch on the western edge of a portion of the Site through which flows intermittently.

Fact No. 22: Admit that there is a storm ditch on the western edge of the Site through which water flows intermittently in the direction of Wonder Lake.

Response: Denies.

Fact No. 23: Admit that Exhibit A is a genuine copy of a letter sent on July 8, 2005 by Respondent to Beverly Booker of the Illinois EPA.

Response: Admits.

Fact No. 24: Admit that Exhibit B is a genuine copy of a letter, and the attachments thereto, sent by facsimile on December 21, 2005 by Respondent to Jim Day of the Illinois EPA.

Response: Admits.

Respectfully submitted:

Thomas P. Mathews

By: Beth E Blacchan POA

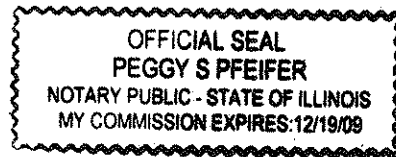
STATE OF ILLINOIS)
) ss
COUNTY OF McHENRY)

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in the foregoing Response to Complainant's First Request for Admission of Facts and Genuineness of Documents are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.

Beth E Blacchan

SUBSCRIBED and SWORN to before me this 5th day of February, 2008.

Peggy S. Pfeifer
Notary Public



CAMPION, CURRAN, DUNLOP & LAMB, P.C.
Attorneys for Respondent
8600 U.S. Highway 14, Suite 201
Crystal Lake, IL 60012
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