

ORIGINAL

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
ADMINISTRATIVE CITATION**

**RECEIVED
CLERK'S OFFICE**

OCT 30 2000

**STATE OF ILLINOIS
Pollution Control Board**

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Complainant,

v.

JACK BUSBY,

Respondent.

AC 01-06
(IEPA No. 334-00-AC)

NOTICE OF FILING

To: Mr. Jack Busby
801 South Glenwood
Effingham, Illinois 62401

Mr. Steven Langhoff
Hearing Officer
Illinois Pollution Control Board
600 South Second Street, Suite 402
Springfield, Illinois 62704

PLEASE TAKE NOTICE that on this date I mailed for filing with the Clerk of the Pollution Control Board of the State of Illinois the following instrument(s) entitled ILLINOIS ENVIRONMENTAL PROTECTION AGENCY'S RESPONSE TO RESPONDENT'S REQUEST FOR A HEARING.

Respectfully submitted,



ROBERT J. SCHERSCHLIGT
Assistant Counsel
Division of Legal Counsel

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

Dated: October 27, 2000

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STATE OF ILLINOIS
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
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Complainant,)
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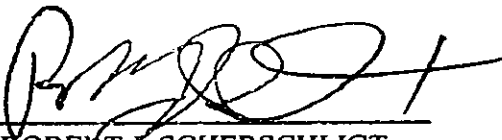
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY'S
RESPONSE TO RESPONDENT'S REQUEST FOR A HEARING

NOW COMES the Complainant, Illinois Environmental Protection Agency, by and through one of its attorneys, Robert J. Scherschligt, and pursuant to Section 103.140 of the Illinois Pollution Control Board's Procedural Rules, 35 Ill. Adm. Code 103.140, hereby responds to the Respondent's October 20, 2000 letter to Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, and the attached Response and Petition, as follows:

1. Despite the fact that Respondent failed to properly and timely file a petition to contest the administrative citation with the Illinois Pollution Control Board ("Board"), the Illinois EPA has no objection to the Board vacating its order dated September 21, 2000.
2. The Illinois EPA has no objection to the Board setting this matter for hearing.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, Complainant,

By: 
ROBERT J. SCHERSCHLIGT
Assistant Counsel
Division of Legal Counsel

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276
(217) 782-5544

DATED: October 27, 2000

PROOF OF SERVICE


I hereby certify that I did on the 27th day of October, 2000, 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 instrument(s) entitled **ILLINOIS ENVIRONMENTAL PROTECTION AGENCY'S RESPONSE TO RESPONDENT'S REQUEST FOR A HEARING**

To: Mr. Jack Busby
801 South Glenwood
Effingham, Illinois 62401

Mr. Steven Langhoff
Hearing Officer
Illinois Pollution Control Board
600 South Second Street, Suite 402
Springfield, Illinois 62704

and the original and nine (9) true and correct copies of the same foregoing instruments on the same date by First Class Mail with postage thereon fully prepaid

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


ROBERT J. SCHERSCHLIGT
Assistant Counsel
Division of Legal Counsel

Illinois Environmental Protection Agency
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Springfield, Illinois 62794-9276
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