

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

RECEIVED
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APR 13 2011

STATE OF ILLINOIS
Pollution Control Board

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
v.)
)
COLUMBUS FOODS COMPANY, INC.)
)
Respondent)

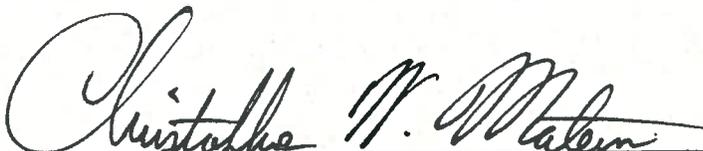
PCB No. 11-45
(Enforcement)

NOTICE OF FILING

To: Andrew J. Nicholas
Assistant Attorney General
Environmental Bureau
69 W. Washington St., Suite 1800
Chicago, Illinois 60602

Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph St., Suite 11-500
Chicago, Illinois 60601

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board the Answer, Appearance, Notice of Filing and Certificate of Service of CFC, Inc. d.b.a. Columbus Foods Company, a copy of which is herewith served upon you.



Christopher W. Matern

Date April 8, 2011

Christopher W. Matern
205 W. Wacker Drive, Suite 1600
312-236-3510

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 Complainant,)
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 Respondent)

PCB No. 11-45
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ANSWER

Respondent, CFC, Inc. an Illinois corporation d.b.a. Columbus Foods Company by and through its attorneys answers the allegations in People of the State of Illinois's complaint as follows:

Count I

1. Respondent asserts a lack of knowledge sufficient to form a belief as to the truth of this allegation.
2. Respondent asserts a lack of knowledge sufficient to form a belief as to the truth of this allegation.
3. Denied. Respondent states that Columbus Foods Company is a d.b.a. of CFC, Inc. which was and is an Illinois corporation duly authorized to transact business in the State of Illinois.
4. Denied.
5. Denied.
6. Denied.
7. Denied.
8. The Respondent admits that it did not apply for or obtain a permit from the Illinois EPA on the grounds that it was not required to either apply for or obtain a permit from the Illinois EPA and denies the remainder of the allegations in this paragraph.
9. Denied.

10. Denied.
11. Denied.
12. Respondent admits that it received Violation Notice A-2009-00166 dated January 14, 2010, but denies the allegations contained in the notice.
13. Respondent admits that its attorney sent a letter to the Illinois EPA on February 19, 2010 denying the allegations contained in Violation Notice A-2009-00166, but denies the remainder of the allegations in this paragraph.
14. Respondent admits that its attorney met with representatives of the IL EPA on March 10, 2010 to discuss Violation Notice A-2009-00166, but denies the remainder of the allegations in this paragraph.
15. Respondent admits that its attorney sent a letter to the Illinois EPA on March 30, 2010 supplementing its denial of the allegations contained in Violation Notice A-2009-00166, but denies the remainder of the allegations in this paragraph.
16. Respondent asserts a lack of knowledge sufficient to form a belief as to the truth of this allegation as Respondent never received the alleged correspondence.
17. Admitted.
18. Respondent denies that it violated the statutory provision recited in this paragraph.
19. Respondent denies that it violated the statutory provision recited in this paragraph.
20. Respondent denies that it violated the statutory provision recited in this paragraph.
21. Respondent denies that it violated the statutory provision recited in this paragraph.
22. Respondent denies that it violated the statutory provision recited in this paragraph.
23. Respondent admits that it is an Illinois corporation.
24. Admitted.
25. Denied.
26. Denied.
27. Denied.
28. Denied.

29. Denied.

30. Denied.

Count II

1-27. Respondent re-alleges and incorporates by reference herein its responses to paragraphs 1 through 18 and 20 through 28 of Count I, as responses to paragraphs 1 through 27 of this Count II.

28. Respondent denies that it violated the statutory provision recited in this paragraph.

29. Respondent denies that it was required to obtain an operating permit from the Illinois EPA.

30. Denied.

Count III

1-26. Respondent re-alleges and incorporates by reference herein its responses to paragraphs 1 through 17, and 20 through 28 of Count I, as paragraphs 1 through 26 of this Count III.

27. Respondent denies that it violated the statutory provision recited in this paragraph.

28. Respondent denies that it violated the statutory provision recited in this paragraph.

29. Respondent denies that it violated the statutory provision recited in this paragraph.

30. Respondent denies that it violated the statutory provision recited in this paragraph.

31. Respondent denies that it violated the statutory provision recited in this paragraph.

32. Respondent denies that it violated the statutory provision recited in this paragraph.

33. Respondent denies that it violated the statutory provision recited in this paragraph.

34. Respondent denies that it violated the statutory provision recited in this paragraph.

35. Denied.

36. Denied.

37. Denied.

38. Respondent denies that allegations that it was required to file Annual Emissions Reports.

39. Denied.

CFC, Inc. d.b.a. Columbus Foods Company,

A handwritten signature in black ink that reads "Christopher Matern". The signature is written in a cursive style with a horizontal line underneath the name.

Christopher Matern
Attorney for CFC, Inc.

Attorney for Respondent
Christopher W. Matern
205 W. Wacker Drive, Suite 1600
Chicago, Illinois 60606
312-236-3510

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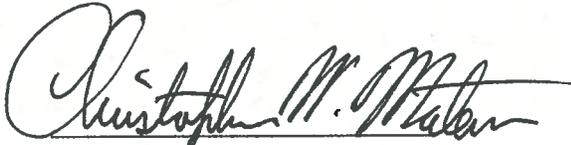
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APPEARANCE

I hereby file my appearance in this proceeding, on behalf of CFC, Inc. d.b.a. Columbus Foods Company.



Christopher W. Matern

Christopher W. Matern
205 W. Wacker Drive, Suite 1600
Chicago, Illinois 60606
(312) 236-3510

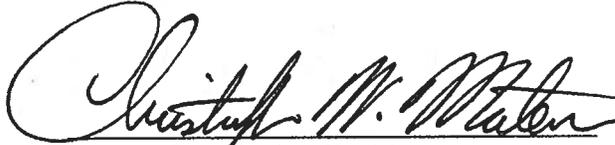
Certificate of Service

People of the State of Illinois v. Columbus Foods Company, Inc.

I, Christopher W. Matern, an attorney the undersigned, certify that on the this 8th day of April, 2011 I have served the attached Answer, Appearance, Notice of Filing and a Certificate of Service by placing same in an envelope bearing sufficient postage with the United States Postal Service in the mail box located at 205 W. Wacker, Chicago, Illinois, upon the following persons:

Andrew J. Nicholas
Assistant Attorney General
Environmental Bureau
69 W. Washington St., Suite 1800
Chicago, Illinois 60602

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