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MAY 27 2011

STATE OF ILLINOIS
Pollution Control Board

ILLINOIS POLLUTION CONTROL BOARD

THE PEOPLE OF THE STATE OF)
ILLINOIS,)
)
Complainant,)
)
v.)
)
RAY F. LANDERS, individually, and)
EQUIPPING THE SAINTS MINISTRY,)
INTERNATIONAL, INC., an Illinois)
not-for-profit corporation,)
)
Respondent.)

No. PCB No. 07-13
(Enforcement)

ORIGINAL

ANSWER TO COMPLAINANT'S CIVIL PENALTY REQUEST

NOW COMES, Respondent, EQUIPPING THE SAINTS MINISTRY INTERNATIONAL, INC., an Illinois not-for-profit corporation, by and through their attorneys, Brandenburg-Rees & Rees, and briefly responds to Complainant's Civil Penalty Request, respectfully states as follows:

1. That Respondent would request that the board understand and find that there was no issue of pollution being release into the air.
2. That Respondent did not realize an economic benefit by failing to follow the statutory request for obtaining appropriate permits except to the extent that a filing fee, which I believe to be in the amount of \$300.00, has never been paid. Further, that as soon as the Respondent received notice that they were in violation they terminated any further action and in fact sold the property at a loss. They chose not to proceed any further with their project because of the determination that they were in violation of the law and secondly that subsequent to this they determined that they had a similar situation issue in the City of Virden in which criminal charges were filed.

3. That Complainant has attached a copy to their position statement certain documents from People v. Equipping the Saints Ministry, Int. Inc., f/n/a Next Generation Ministries, Inc., 07-CF-150 Macoupin County.

4. That Respondent denies that prior to their violation in the case at issue they have never received notice of any other violation and that the notice of the violation on the property in the City of Virden was obtained subsequent to the Respondents learning of the violations that is the subject of this case.

5. That Equipping the Saints International, Int. Inc., is no longer an Illinois not-for-profit Corporation in good standing and the only property which they owned was the property that was subject to the proceedings in the City of Virden which as a result of the actions in the Macoupin County criminal case, the property in the City of Virden is being transferred to the City of Virden as part of their penalty in that case and that there are no other assets available for the payment of any fine or costs in this matter.

6. That Respondent would suggest that under the circumstances the request for a \$10,000.00 penalty is excessive especially in consideration of the legal status of Respondent at this time.

7. That the undersigned attorney intends to file for leave to withdraw from this matter as there is no further ability for him to be paid for the work that he is doing in this case.

WHEREFORE, Respondent, EQUIPPING THE SAINTS MINISTRY INTERNATIONAL, INC. requests the Court to dismiss the Complainants Civil Penalty Request and for such other and further relief as this Court deems just and equitable.

EQUIPPING THE SAINTS MINISTRY
INTERNATIONAL, INC., Respondent

BY: Edmond H. Rees
One of Their Attorneys

EDMOND H. REES
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BRANDENBURG-REES & REES
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Post Office Box 556
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217-854-2602

PROOF OF SERVICE

The undersigned certifies that a true copy of the foregoing was served upon the following by enclosing the same in an envelope addressed as follows:

Ms. J.L., Homan
Assistant Attorney General
Environmental Bureau
500 South Second Street
Springfield, IL 62706

Carol Webb
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
P.O. Box 19274
Springfield, IL 62794-9274

Said envelope, addressed as set out above, containing a copy of the foregoing instrument was deposited in a United States Post Office receptacle in the City of Carlinville, Illinois, with postage fully prepaid, on the 24 day of May, 2011.

Edmond H. Rees

BRANDENBURG-REES & REES

ATTORNEYS AT LAW

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Carlinville, IL 62626-0556
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Fax (217) 854-9369

May 24, 2011

Illinois Pollution Control Board
Attn: Ms. Carol Webb, Hearing Officer
1021 North Grand Avenue East
P.O. Box 19274
Springfield, IL 62794-9274

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Pollution Control Board

EDMOND H. REES
JACQUELINE BRANDENBURG-REES
JAMES C. BRANDENBURG

TERRANCE S. LEEDERS
SEAN CHAUDHURI
OF COUNSEL

RE: People v. Landers, et al.
Case No. PCB 07-13

Dear Ms. Webb:

Clerk

ORIGINAL

Enclosed for filing, please find an original and one copy of a Answer to Complainant's Civil Penalty Request. Please file and return a file stamped copy in the enclosed self-addressed stamped envelope.

If you should have any questions, please feel free to contact my office.

Very truly yours,

Edmond H. Rees

Edmond H. Rees

EHR/cb

Enclosures

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