

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)
)
 Complainant,)
)
 v.)
)
 BLICK'S CONSTRUCTION CO., INC.,)
 an Illinois Corporation, and)
 RON BRICKER,)
)
 Respondents.)

PCB No. 2013-043
(Enforcement-Air)

ANSWER

NOW COMES Ron Bricker, by Blickhan, Timmerwilke, Woodworth & Larson and in Answer to the Complaint filed herein states:

COUNT I
AIR POLLUTION

1. Admitted.
2. Admitted.
3. Admitted.
4. Respondent neither admits nor denies the allegations in paragraph 4 for reason of insufficient knowledge, but demands strict proof thereof.
5. Admitted.
6. Respondent neither admits nor denies the first sentence of paragraph 6 for reason of insufficient knowledge, but demands strict proof thereof. Respondent denies the remaining allegations of paragraph 6.
7. Respondent neither admits nor denies the allegations of paragraph 7, but demands strict proof thereof for such is a legal conclusion.

8. Respondent neither admits nor denies the allegations of paragraph 8 for reason of insufficient knowledge, but demands strict proof thereof.

9. Respondent neither admits nor denies the allegations of paragraph 9 for reason of insufficient knowledge, but demands strict proof thereof.

10. Respondent neither admits nor denies the allegations of paragraph 10 for reason of insufficient knowledge, but demands strict proof thereof.

11. Respondent neither admits nor denies the allegations of paragraph 11 for reason of insufficient knowledge, but demands strict proof thereof.

12. Respondent neither admits nor denies the allegations of paragraph 12 for reason of insufficient knowledge, but demands strict proof thereof.

13. Respondent neither admits nor denies the allegations of paragraph 13 for reason of insufficient knowledge, but demands strict proof thereof.

14. Respondent denies the allegations of paragraph 14.

15. Respondent neither admits nor denies the allegations of paragraph 15 for reason of insufficient knowledge, but demands strict proof thereof.

16. Respondent neither admits nor denies the allegations of paragraph 16 for reason of insufficient knowledge, but demands strict proof thereof.

17. Respondent neither admits nor denies the allegations of paragraph 17 for reason of insufficient knowledge, but demands strict proof thereof.

18. Respondent neither admits nor denies the allegations of paragraph 18 for reason of insufficient knowledge, but demands strict proof thereof.

19. Respondent neither admits nor denies the allegations of paragraph 19 for reason that such is a statement of law and not a statement of fact.

20. Respondent neither admits nor denies the allegations of paragraph 20 for reason that such is a statement of law and not a statement of fact.

21. Respondent neither admits nor denies the allegations of paragraph 21 for reason that such is a statement of law and not a statement of fact.

22. Respondent neither admits nor denies the allegations of paragraph 22 for reason that such is a statement of law and not a statement of fact.

23. Respondent neither admits nor denies the allegations of paragraph 23 for reason that such is a statement of law and not a statement of fact.

24. Respondent denies that he committed the acts as stated in paragraph 24.

25. Respondent denies the allegations of paragraph 25.

WHEREFORE, the Respondent respectfully prays that said Count I be dismissed, that the relief therein requested be denied and that costs be taxed against the Complainant.

COUNT II
ASBESTOS ABATEMENT NOTIFICATION AND PAYMENT VIOLATIONS

1-21. Respondent, Ron Bricker answers paragraphs 1-21 of this Count as his Answers of 1-21 of Count I and thereby adopts and incorporates his Answers herein.

22. Respondent neither admits nor denies the allegations of paragraph 22 for reason that such is a statement of law and not a statement of fact.

23. Respondent neither admits nor denies the allegations of paragraph 23 for reason that such is a statement of law and not a statement of fact.

24. Respondent neither admits nor denies the allegations of paragraph 24 for reason that such is a statement of law and not a statement of fact.

25. Respondent neither admits nor denies the allegations of paragraph 25 for reason of insufficient knowledge, but demands strict proof thereof.

26. Respondent neither admits nor denies the allegations of paragraph 26 for reason that such is a statement of law and not a statement of fact.

27. Respondent neither admits nor denies the allegations of paragraph 27 for reason of insufficient knowledge, but demands strict proof thereof.

28. Respondent neither admits nor denies the allegations of paragraph 28 for reason of insufficient knowledge, but demands strict proof thereof.

29. Respondent neither admits nor denies the allegations of paragraph 29 for reason of insufficient knowledge, but demands strict proof thereof.

30. Respondent neither admits nor denies the allegations of paragraph 30 for reason of insufficient knowledge, but demands strict proof thereof.

WHEREFORE, the Respondent respectfully prays that said Count II be dismissed, that the relief therein requested be denied and that costs be taxed against the Complainant.

COUNT III
ASBESTOS ABATEMENT WORK PRACTICE VIOLATIONS

1-22. Respondent, Ron Bricker answers paragraphs 1-22 of this Count as his Answers of 1-22 of Count I and thereby adopts and incorporates his Answers herein.

23. Respondent neither admits nor denies the allegations of paragraph 23 for reason that such is a statement of law and not a statement of fact.

24. Respondent neither admits nor denies the allegations of paragraph 24 for reason that such is a statement of law and not a statement of fact.

25. Respondent neither admits nor denies the allegations of paragraph 25 for reason that such is a statement of law and not a statement of fact.

26. Respondent neither admits nor denies the allegations of paragraph 26 for reason that such is a statement of law and not a statement of fact.

27. Respondent neither admits nor denies the allegations of paragraph 27 for reason of insufficient knowledge, but demands strict proof thereof.

28. Respondent neither admits nor denies the allegations of paragraph 28 for reason of insufficient knowledge, but demands strict proof thereof.

29. Respondent neither admits nor denies the allegations of paragraph 29 for reason of insufficient knowledge, but demands strict proof thereof.

WHEREFORE, the Respondent respectfully prays that said Count III be dismissed, that the relief therein requested be denied and that costs be taxed against the Complainant.

COUNT IV
ASBESTOS WASTE HANDLING VIOLATION

1-22. Respondent, Ron Bricker answers paragraphs 1-22 of this Count as his Answers of 1-22 of Count I and thereby adopts and incorporates his Answers herein.

23. Respondent neither admits nor denies the allegations of paragraph 23 for reason that such is a statement of law and not a statement of fact.

24. Respondent neither admits nor denies the allegations of paragraph 24 for reason that such is a statement of law and not a statement of fact.

25. Respondent neither admits nor denies the allegations of paragraph 25 for reason that such is a statement of law and not a statement of fact.

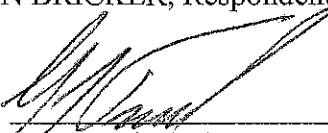
26. Respondent neither admits nor denies the allegations of paragraph 26 for reason that such is a statement of law and not a statement of fact.

27. Respondent neither admits nor denies the allegations of paragraph 27 for reason of insufficient knowledge, but demands strict proof thereof.

28. Respondent neither admits nor denies the allegations of paragraph 23 for reason that such is a statement of law and not a statement of fact.

WHEREFORE, the Respondent respectfully prays that said Count IV be dismissed, that the relief therein requested be denied and that costs be taxed against the Complainant.

RON BRICKER, Respondent

By: 
One of His Attorneys

Gerald L. Timmerwilke
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CERTIFICATE OF FILING AND SERVICE

I hereby certify that on the 11th day of April, 2013, an Answer was filed with the Clerk of the Illinois Pollution Control Board via First-Class Mail at 100 West Randolph St., Suite 11-500, Chicago, IL 60601, and by Electronic Filing, and a true and correct copy of the Answer was served upon Kelly O. Phelps, Assistant Attorney General, for Matthew J. Dunn, Chief Environmental Enforcement/Asbestos Litigation Division, via First-Class Mail, postage prepaid at 500 South Second Street, Springfield, IL 62706.