

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,	)	
LISA MADIGAN, Attorney General of	)	
the State of Illinois,	)	
	)	
Complainant,	)	
	)	
vs	)	PCB No. 05-51
	)	(Enforcement-Air)
ENVIRONMENTAL HEALTH AND SAFETY	)	
SERVICES, INC., an Illinois corporation	)	
	)	
Respondent.	)	

**RESPONSE TO MOTION TO DEEM FACTS ADMITTED**

NOW COMES the Respondent, ENVIRONMENTAL HEALTH AND SAFETY SERVICES, INC., an Illinois corporation, by its attorneys, SCHLUETER ECKLUND and for its response to Complainant's Motion to Deem Facts Admitted states as follows:

1. Respondent, ENVIRONMENTAL HEALTH AND SAFETY SERVICES, INC., submitted a Response to Complainant's Request for Admission which provided responses to each and every one of the forty-eight items contained in the Request in a timely fashion.
2. Respondent submits contemporaneously with this Response an Amended Response to Request for Admission which contains the same Responses as the previous pleading and contains a Verification from the President of the Respondent Corporation.
3. As the responses remain the same, and now contain a Verification, the state has not been jeopardized in any respect with regard to its preparation of this case.
4. To grant Complainant's Motion to Deem Facts Admitted, would not justly decide this matter.

WHEREFORE, Respondent, ENVIRONMENTAL HEALTH AND SAFETY SERVICES, INC., an Illinois corporation, respectfully request that the hearing officer deny the relief sought by the Complainant in its Motion to Deem Facts Admitted and accept the Amended Response containing the Verification.

Respectfully submitted,  
ENVIRONMENTAL HEALTH AND SAFETY  
SERVICES, INC., an Illinois corporation, Respondent

By: SCHLUETER ECKLUND

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BRYAN G. SELANDER, One of its attorneys

DATE: February \_\_\_\_\_, 2006

Bryan G. Selander #316  
SCHLUETER ECKLUND  
4023 Charles Street  
Rockford, IL 61108  
(815) 229-5333

**CERTIFICATE OF SERVICE**

I, BRYAN G. SELANDER, Attorney for Respondent, do certify that I caused to be mailed this \_\_\_\_\_ day of February, 2006, the foregoing RESPONSES TO MOTION TO DEEM FACTS ADMITTED to the persons listed on the said NOTICE by first-class mail in a postage prepaid envelope and depositing same with the United States Postal Service located at 5225 Harrison Avenue, Rockford, IL 61125.

It is hereby certified that a true copy of the foregoing Notice was electronically filed with the following on February \_\_\_\_\_, 2006:

Dorothy M. Gunn  
Illinois Pollution Control Board  
James R. Thompson Center  
100 West Randolph, Suite 11-500  
Chicago, IL 60601

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BRYAN G. SELANDER  
Attorney for Respondent  
Schlueter Ecklund  
4023 Charles Street  
Rockford, IL 61108  
(815) 229-5333

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ENVIRONMENTAL HEALTH AND SAFETY	)	
SERVICES, INC., an Illinois corporation,	)	
	)	
Respondent.	)	

**NOTICE OF FILING**

TO: Katherine M. Hausrath	Bradley P. Halloran
Assistant Attorney General	Hearing Officer
Environmental Bureau	Illinois Pollution Control Board
188 W. Randolph St., 20 <sup>th</sup> Flr.	James R. Thompson Center, Suite 11-500
Chicago, IL 60601	100 W. Randolph Street
	Chicago, IL 60601

PLEASE TAKE NOTICE that I have today electronically filed with the Office of the Clerk of the Illinois Pollution Control Board a copy of Respondent's Response to Admission of Facts, a copy of which is attached and herewith served upon you.

Dated: February \_\_\_\_\_, 2006.

Respectfully submitted,

RANDY OLDENBERGER d/b/a  
ENVIRONMENTAL HEALTH and SAFETY

BY: SCHLUETER ECKLUND

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BRYAN G. SELANDER, one of its attorneys