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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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DEC 26 2006

STATE OF ILLINOIS
Pollution Control Board

PEOPLE OF THE STATE OF ILLINOIS,)
ex rel. LISA MADIGAN, Attorney General)
Of the State of Illinois)

Complainant)

v.)

PCB No. 07-32

LAKE ARLANN DARINAGE DISTRICT,)
an Illinois Drainage District, et al.)

Respondents.)

ANSWER

NOW COMES, Respondent, LAKE ARLANN DARINAGE DISTRICT, an Illinois Drainage District, by and through its attorneys, ELLIFF, KEYSER, OBERLE & DANCEY, P.C., and in answer to the Complaint, responds as follows:

Count I

1. Respondent lacks sufficient knowledge to admit or deny the allegations of paragraph 1.
2. Respondent lacks sufficient knowledge to admit or deny the allegations of paragraph 2.
3. Respondent admits the allegations of paragraph 3.
4. Respondent admits the allegations of paragraph 4.
5. Respondent lacks knowledge of COCHRAN & WILKEN, INC.'s corporate standing and registered agent. Respondent admits the remaining allegation of paragraph 3.
6. Respondent lacks knowledge of SOUTHWIND CONSTRUCTION CORP.'s corporate standing and registered agent. Respondent admits the remaining allegation of paragraph 4.

7. Respondent admits the allegations of paragraph 7.
8. Respondent admits the allegations of paragraph 8.
9. Respondent admits the allegations of paragraph 9.
10. Respondent admits the allegations of paragraph 10.
11. Respondent admits the allegations of paragraph 11.
12. Respondent admits the allegations of paragraph 12.
13. Respondent admits the allegations of paragraph 13.
14. Respondent admits the allegations of paragraph 14.
15. Respondent admits the allegations of paragraph 15.
16. Respondent admits in part and denies in part the allegations of paragraph 16.
17. Respondent admits the allegations of paragraph 17.
18. Respondent admits the allegations of paragraph 18.
19. Respondent admits in part and denies in part the allegations of paragraph 19.
20. Respondent admits the allegations of paragraph 20.
21. Respondent admits the allegations of paragraph 21.
22. Respondent denies the allegations of paragraph 22.
23. Respondent denies the allegations of paragraph 23.

COUNT I HAS 23 PARAGRAPHS YET COUNT II STARTS WITH PARAGRAPH 22. NUMBERING FROM THAT POINT FORWARD IS INCONSISTENT. RESPONDENT HAS INDICATED PARAGRAPH AND COUNT ANSWERED, SEVERAL PARAGRAPH NUMBERS ARE REPEATED IN MORE THAN ONE COUNT.

Count II

22. Respondent admits the allegations of paragraph 22.
23. Respondent admits the allegations of paragraph 23.
24. Respondent denies the allegations of paragraph 24.
25. Respondent denies the allegations of paragraph 25.
26. Respondent denies the allegations of paragraph 26.
27. Respondent denies the allegations of paragraph 27.

Count III

26. Respondent admits the allegations of paragraph 26.
27. Respondent admits the allegations of paragraph 27.
28. Respondent admits the allegations of paragraph 28.
29. Respondent denies the allegations of paragraph 29.
30. Respondent admits in part and denies in part the allegations of paragraph 30.
31. Respondent denies the allegations of paragraph 31.
32. Respondent denies the allegations of paragraph 32.

Count IV

24. Respondent admits the allegations of paragraph 24.
25. Respondent admits the allegations of paragraph 25.
26. Respondent denies the allegations of paragraph 26.
27. Respondent admits in part and denies in part the allegations of paragraph 27.
28. Respondent denies the allegations of paragraph 28.
29. Respondent denies the allegations of paragraph 29.

30. Respondent denies the allegations of paragraph 30.

31. Respondent denies the allegations of paragraph 31.

WHEREFORE, this Respondent prays that the Court dismiss the Complaint in its entirety, deny Plaintiff's request for relief and award the Respondent its Attorneys fees and costs of suit.

LAKE ARLANN DRAINAGE DISTRICT
an Illinois Drainage District, Respondent

BY: 

Thomas R. Cullen
Attorney for the Respondent

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The undersigned certifies that the foregoing instrument was served upon those listed on the Service List below at their respective addresses disclosed on the pleadings on December 22, 2006, by U.S. Mail, postage prepaid at Pekin, Illinois.

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