

Electronic Filing - Received, Clerk's Office, March 27, 2008

BEFORE THE ILLINOS POLLUTION CONTROL BOARD

CITY OF CHICAGO DEPARTMENT)	
OF ENVIRONMENT)	
)	Siting Code 0316615233
Complainant,)	
)	AC 2008-017
v.)	
)	
CRYSTAL IL 98, L.L.C.)	
)	
Respondent.)	

NOTICE OF FILING

TO: Clerk of the Illinois Pollution Control Board	City of Chicago Dept. of the Environment Permitting and Enforcement Division
James R. Thompson Center	30 N. LaSalle Street
100 W. Randolph Street	Suite 2500
Suite 11-500	Chicago, Illinois 60602
Chicago, Illinois 60601	

PLEASE TAKE NOTICE that on March 27, 2008, the attached document, Respondent's Petition for Review To Contest Administrative Citation, was filed with the Clerk of the Pollution Control Board.

CERTIFICATE OF SERVICE

I, **GLENN C. SECHEN**, an attorney, certify that I have served a copy of the attached documents by regular mail upon the person(s) referenced above at or before 4:00 p.m. on the 27th day of March, 2008.

Glenn C. Sechen
Glenn C. Sechen, Counsel for the Respondent

Glenn C. Sechen
Schain, Burney, Ross & Citron, Ltd.
222 North LaSalle Street
Suite 1910
Chicago, IL 60601-4514
312/ 332-0200

Electronic Filing - Received, Clerk's Office, March 27, 2008

BEFORE THE ILLINOS POLLUTION CONTROL BOARD

CITY OF CHICAGO DEPARTMENT)
OF ENVIRONMENT)
) Siting Code 0316615233
Complainant,)
) AC 2008-017
v.)
)
CRYSTAL IL 98, L.L.C.)
)
Respondent.)

APPEARANCE

Glenn C. Sechen, James R. Griffin and M. Hope Whitfield hereby enter their appearance on behalf of the Respondent, Crystal IL 98, L.L.C.

Glenn C. Sechen
Attorney for the Applicant

James Griffin
Attorney for the Applicant

M. Hope Whitfield

Certificate of Service

The undersigned hereby certifies that on the 27th day of March, 2008, a copy of the above was served upon:

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

City of Chicago Dept. of the Environment
Permitting and Enforcement Division
30 N. LaSalle Street
Suite 2500
Chicago, Illinois 60602

By: *Glenn C. Sechen*
Attorney for the Applicant

BEFORE THE ILLINOS POLLUTION CONTROL BOARD

CITY OF CHICAGO DEPARTMENT)	
OF ENVIRONMENT)	
)	Siting Code 0316615233
Complainant,)	
)	AC 2008-017
v.)	
)	
CRYSTAL IL 98, L.L.C.)	
)	
Respondent.)	

PETITION FOR REVIEW TO CONTEST ADMINISTRATIVE CITATION

Now comes the Respondent, Crystal IL 98 LLC and files this petition to contest the administrative citation issued by the City of Chicago, and in support thereof states as follows:

1. Respondent is within the 35 day time period described in 35 IAC 108.204(b) and Section 31.1(d) of the Act.
2. Respondent contests the issuance of the Administrative Citations for one or more of the following reasons:
 - a) The alleged violations are untimely and improperly alleged;
 - b) The AC Recipient did not cause or allow the alleged violations;
 - c) The AC was not timely filed or properly served;
 - d) The alleged violation was the result of uncontrollable circumstances;
 - e) The City of Chicago exceeded its authority regarding the allegations set forth;
 - f) The penalty sought is excessive, duplicative and inappropriate, and is otherwise improper and not in accordance with the law.

Electronic Filing - Received, Clerk's Office, March 27, 2008

Wherefore, for the above and foregoing reasons, Respondent, CRYSTAL IL 98, L.L.C., prays that the Illinois Pollution Control Board dismiss Complainant's Administrative Citation and for such further relieve as it deems just and equitable.

Respectfully Submitted,

Glenn C. Sechen

Glenn C. Sechen

Glenn C. Sechen
James R. Griffin
M. Hope Whitfield
Schain, Burney, Ross & Citron, Ltd.
Attorneys for Plaintiff
222 North LaSalle Street, 19th Floor
Chicago, IL 60601
312-332-0200

F:\GCS\Crystal\Filed Pleadings\PETITION FOR REVIEW TO CONTEST ADMINISTRATIVE CITATION.doc