

ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS)	
)	
Complainant,)	
)	
v.)	PCB 08-17
)	
FELKER PHARMACY, INC., an Illinois)	(Enforcement-Water)
corporation, and ROD BENNETT)	
CONSTRUCTION, INC., an Illinois)	
corporation,)	
)	
Respondents,)	
)	
)	
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ROD BENNETT CONSTRUCTION, INC.)	
)	
Third Party Complainant)	
)	
v.)	PCB 08-17
)	(Citizens Enforcement – Water)
MCCLELLAN BLAKEMORE)	(Third-Party Complaint)
ARCHITECTS, INC., an Illinois)	
corporation, and WENDLER)	
ENGINEERING SERVICES,)	
INC., an Illinois corporation)	
)	
Third Party Respondents.)	

MOTION TO WAIVE A HEARING REQUIREMENT

Rod Bennett Construction, Inc. (Respondent), by and through its attorney, James E. Meason, files this Motion to Waive a Hearing Requirement pursuant to the Environmental Protection Act (Act), specifically 415 ILCS 5/33, stating as follows:

1. Respondent and Wendler Engineering Services, Inc. filed a Stipulation and Proposal for Settlement on November 18, 2008.
2. Therefore, Respondent moves to Waive any of the Act's §33 hearing requirements that may be applicable to the Third Party Complaint.

CERTIFICATE OF SERVICE

Pursuant to the Illinois Pollution Control Board regulations, specifically 35 Ill. Admin. Code 101.304(c), I certify that on November 19, 2008, I sent via email from Rockton, Illinois, at 11:00 a.m. the Motion to Waive Hearing Requirement to the following persons:

Illinois Pollution Control Board (filed electronically)
100 W. Randolph
Suite 11-500
Chicago, Illinois 60601

Stephen J. Sylvester, Esq. (via email)
Assistant Attorney General
Environmental Bureau
69 W. Washington Street, Suite 1800
Chicago, IL 60602

Eric D. Morrow, Esq. (via email)
Smith Hahn Morrow & Floski, P.C.
129 S. Fourth Street
P.O. Box 10
Oregon, IL 61061-0010

John D. Lanpher, Esq. (via email)
Agent, McClellan Blakemore Architects, Inc.
2601 Reid Farm Road Suite B
Rockford, IL 61114

Thomas H. Boswell, Esq. (via email)
Wendler Engineering Services, Inc.
Hinshaw & Culbertson LLP
100 Park Avenue
P.O. Box 1389
Rockford, IL 61105-1389

Rod Bennett Construction, Inc.

By: _____ //s//
James E. Meason
Respondent's Attorney