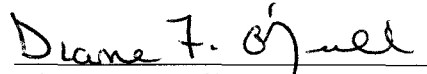


BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)	
Complainant,)	
)	PCB 07-95
v.)	
)	Enforcement
AET ENVIRONMENTAL INC., a Colorado)	
Corporation, and E.O.R. ENERGY, LLC, a)	
Colorado limited liability company,)	
)	
Respondent.)	

NOTICE OF FILING

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board THE RESPONDENT'S ANSWER TO COMPLAINANT'S REQUEST TO ADMIT FACTS on behalf of E.O.R. ENERGY, LLC, a Colorado limited liability company, a copy of which are hereby served upon you.


Diane F. O'Neill

February 20, 2009

Diane F. O'Neill
Attorney at Law
5487 N. Milwaukee Avenue
Chicago, IL 60630-1249
(773) 792-1333

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PEOPLE OF THE STATE OF ILLINOIS,)	
Complainant,)	
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AET ENVIRONMENTAL INC., a Colorado)	
Corporation, and E.O.R. ENERGY, LLC, a)	
Colorado limited liability company,)	
)	
Respondent.)	

RESPONDENT'S ANSWER TO COMPLAINANT'S REQUEST TO ADMIT FACTS

The Respondent, E.O.R. Energy, LLC., a Colorado Limited Liability Corporation, arguing on its own behalf, herein responds to the Complainant's Request to Admit Facts as provided in Section 103.618 of the Board's rules.

COMPLAINANT'S REQUEST TO ADMIT FACTS BY AET ENVIRONMENTAL, INC.

1. In response to item 1, the Respondent denies the allegations.
2. In response to item 2, the Respondent admits the allegations.
3. In response to item 3, the Respondent admits the allegation.
4. In response to item 4, the Respondent denies the allegations.
5. In response to item 5, the Respondent denies the allegations.
6. In response to item 6, the Respondent denies the allegations.
7. In response to item 7, the Respondent denies the allegations.
8. In response to item 8, the Respondent denies the allegations.
9. In response to item 9, the Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegation.
10. In response to item 10, the Respondent is without knowledge or information sufficient to

form a belief as to the truth of the allegation.

11. In response to item 11, the Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegation.
12. In response to item 12, the Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations.
13. In response to item 13, the Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations.
14. In response to item 14, the Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegation.
15. In response to item 15, the Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations.
16. In response to item 16, the Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegation.
17. In response to item 17, the Respondent admit the allegations.
18. In response to item 18, the Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegation.
19. In response to item 19, the Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegation.
20. In response to item 20, the Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegation.
21. In response to item 21, is without knowledge or information sufficient to form a belief as to the truth of the allegation.
22. In response to item 22, the Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegation.
23. In response to item 23, the Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegation.
24. In response to item 24 the Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegation.

25. In response to item 25 the Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegation.
26. In response to item 26, the Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegation.
27. In response to item 27, the Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegation.
28. In response to item 28, the Respondent believes the statements to be not true but has no direct knowledge or information sufficient as to form an opinion as to the accuracy of the statements
29. In response to item 29, the Respondent does not understand the meaning of "left open" nor has direct knowledge or information sufficient as to form an opinion as to the accuracy of the statement.
30. In response to item 30, the Respondent has no direct knowledge or information sufficient as to form an opinion as to the accuracy of the statement
31. In response to item 31 and 32, the Respondent has no direct knowledge or information sufficient as to form an opinion as to the accuracy of the statement.
32. In response to item 31 and 32, the Respondent has no direct knowledge or information sufficient as to form an opinion as to the accuracy of the statement.
33. In response to item 33, the Respondent does not understand the meaning of "directed." and has no direct knowledge or information sufficient as to form an opinion as to the accuracy of the statement.
34. In response to item 34 through 41, the Respondent has no direct knowledge or information sufficient as to form an opinion as to the accuracy of the statement.
35. In response to item 35, the Respondent has no direct knowledge or information sufficient as to form an opinion as to the accuracy of the statement.
36. In response to item 36, the Respondent has no direct knowledge or information sufficient as to form an opinion as to the accuracy of the statement.
37. In response to item 37, the Respondent has no direct knowledge or information sufficient as to form an opinion as to the accuracy of the statement.
38. In response to item 38, the Respondent has no direct knowledge or information sufficient

as to form an opinion as to the accuracy of the statement.

39. In response to item 39, the Respondent has no direct knowledge or information sufficient as to form an opinion as to the accuracy of the statement.
40. In response to item 40, the Respondent has no direct knowledge or information sufficient as to form an opinion as to the accuracy of the statement.
41. In response to item 41, the Respondent has no direct knowledge or information sufficient as to form an opinion as to the accuracy of the statement.
42. In response to item 42, the Respondent has no direct knowledge or information sufficient as to form an opinion as to the accuracy of the statement.
43. In response to items 43 through 46, the Respondent has no direct knowledge or information sufficient as to form an opinion as to the accuracy of the statement.
44. In response to items 44, the Respondent has no direct knowledge or information sufficient as to form an opinion as to the accuracy of the statement.
45. In response to items 45, the Respondent has no direct knowledge or information sufficient as to form an opinion as to the accuracy of the statement.
46. In response to items 46, the Respondent has no direct knowledge or information sufficient as to form an opinion as to the accuracy of the statement.
47. In response to item 47, the Respondent does not have sufficient knowledge or information to attest to the validity of the statement due to the overly broad and ambiguous nature of the statement, as to what "filled" means.
48. In response to items 48 thru 54, the Respondent has no direct knowledge or information sufficient as to form an opinion as to the accuracy of the statement.
49. In response to items 49, the Respondent has no direct knowledge or information sufficient as to form an opinion as to the accuracy of the statement.
50. In response to items 50, the Respondent has no direct knowledge or information sufficient as to form an opinion as to the accuracy of the statement.
51. In response to items 51, the Respondent has no direct knowledge or information sufficient as to form an opinion as to the accuracy of the statement.
52. In response to items 52, the Respondent has no direct knowledge or information sufficient as to form an opinion as to the accuracy of the statement.

- 53. In response to items 53, the Respondent has no direct knowledge or information sufficient as to form an opinion as to the accuracy of the statement.
- 54. In response to items 54, the Respondent has no direct knowledge or information sufficient as to form an opinion as to the accuracy of the statement.
- 55. In response to item 55, the Respondent does not have sufficient knowledge or information as to the nature of the description to attest to the truth of the statement.
- 56. In response to items 56, the Respondent has no direct knowledge or information as to the nature of the description to attest to the truth of the statement.
- 57. In response to items 57, the Respondent has no direct knowledge or information as to the nature of the description to attest to the truth of the statement.
- 58. In response to items 56, the Respondent has no direct knowledge or information as to the nature of the description to attest to the truth of the statement.
- 59. In response to item 59, the Respondent does not have sufficient knowledge or information to attest to the validity of the statement due to the overly broad and ambiguous nature of the statement
- 60. In response to item 60, the Respondent does not have sufficient knowledge or information to attest to the validity of the statement due to the overly broad and ambiguous nature of the statement.
- 61. In response to item 61, the Respondent does not have sufficient knowledge or information to attest to the validity of the statement due to the overly broad and ambiguous nature of the statement
- 62. In response to item 62, the Respondent does not have sufficient knowledge or information to attest to the validity of the statement due to the overly broad and ambiguous nature of the statement.
- 63. In response to item 63, the Respondent does not have sufficient knowledge or information to attest to the validity of the statement due to the overly broad and ambiguous nature of the statement.
- 64. In response to item 64, the Respondent does not have sufficient knowledge or information to attest to the validity of the statement due to the overly broad and ambiguous nature of the statement.
- 65. In response to item 65, the Respondent does not have sufficient knowledge or information to attest to the validity of the statement due to the overly broad and ambiguous nature of

the statement.

66. In response to item 66, the Respondent does not have sufficient knowledge or information to attest to the validity of the statement due to the overly broad and ambiguous nature of the statement.
67. In response to item 67, the Respondent does not have sufficient knowledge or information to attest to the validity of the statement due to the overly broad and ambiguous nature of the statement
68. In response to item 68, the Respondent does not have sufficient knowledge or information to attest to the validity of the statement due to the overly broad and ambiguous nature of the statement
69. In response to item 69, the Respondent does not understand what is meant by “notified..” and has no direct knowledge or information sufficient as to form an opinion as to the accuracy of the statements.
70. In response to item 70, the Respondent does not understand what is meant by “ask permission....” and has no direct knowledge or information sufficient as to form an opinion as to the accuracy of the statements.
71. In response to item 71, the Respondent does not have sufficient knowledge or information to attest to the validity of the statement due to the overly broad and ambiguous nature of the statement.
72. In response to item 72, the Respondent does not have sufficient knowledge or information to attest to the validity of the statement due to the overly broad and ambiguous nature of the statement.
73. In response to item 73, the Respondent does not have sufficient knowledge or information to attest to the validity of the statement due to the overly broad and ambiguous nature of the statement.
74. In response to item 74, the Respondent does not have sufficient knowledge or information to attest to the validity of the statement due to the overly broad and ambiguous nature of the statement.
75. In response to item 75, the Respondent does not have sufficient knowledge or information to attest to the validity of the statement due to the overly broad and ambiguous nature of the statement

76. In response to items 76, the Respondent does not have sufficient knowledge or information to attest to the validity of the statement due to the overly broad and ambiguous nature of the statement.
77. There is no request for 77.
78. In response to item 78, the Respondent denies the allegations.
79. In response to item 79, the Respondent denies the allegations.
80. In response to item 80, the Respondent does not have sufficient knowledge or information to attest to the validity of the statement due to the overly broad and ambiguous nature of the statement.
81. In response to item 81, the Respondent denies the allegations.
82. In response to item 82, the Respondent does not have sufficient knowledge or information to attest to the validity of the statement due to the overly broad and ambiguous nature of the statement.
83. In response to item 83, the Respondent denies the allegations.
84. In response to item 84, the Respondent denies the allegations.
85. In response to item 85, the Respondent denies the allegations.
86. In response to item 86, the Respondent denies the allegations.
87. In response to item 87, the Respondent denies the allegations.
88. In response to item 88, the Respondent has insufficient knowledge to attest to the accuracy of the statement.
89. In response to item 89, the Respondent does not have sufficient knowledge or information to attest to the validity of the statement due to the overly broad and ambiguous nature of the statement.
90. In response to item 90, the Respondent has insufficient knowledge to attest to the accuracy of the statement.
91. In response to item 91, the Respondent does not have sufficient knowledge or information to attest to the validity of the statement due to the overly broad and ambiguous nature of the statement.

92. In response to item 92, the Respondent does not have sufficient knowledge or information to attest to the validity of the statement due to the overly broad and ambiguous nature of the statement.
93. In response to item 93, the Respondent does not have sufficient knowledge or information to attest to the validity of the statement due to the overly broad and ambiguous nature of the statement.
94. In response to item 94, the Respondent does not have sufficient knowledge or information to attest to the validity of the statement.
95. In response to item 95, the Respondent denies the allegation.
96. In response to item 96, the Respondent denies the allegation.
97. In response to item 97, the Respondent does not have sufficient knowledge or information to attest to the validity of the statement.
98. In response to item 98, the Respondent does not have sufficient knowledge or information to attest to the truth of the statement.
99. In response to item 99, the Respondent does not have sufficient knowledge or information to attest to the truth of the statement.
100. In response to item 100, the Respondent does not have sufficient knowledge or information to attest to the truth of the statement
101. In response to item 101, the Respondent does not have sufficient knowledge or information as to the nature of the description to attest to the truth of the statement
102. In response to item 102, the Respondent deems the allegation to be ambiguous and is without sufficient knowledge or information in order to develop a belief as to the truth of the statement.
103. In response to item 103, the Respondent deems the allegation to be ambiguous as to the meaning of the words "violently" and "acid" and is without sufficient knowledge or information in order to develop a belief as to the truth of the statement..
104. In response to item 104, the Respondent deems the allegation to be ambiguous, as to the words "could" "violently" "acid" "stored" "property" and the entire statement, and is without sufficient knowledge or information in order to develop a belief as to the truth of the statement

105. In response to item 105, the Respondent denies the allegation.
106. In response to item 106, the Respondent deems the allegation to be ambiguous and is without sufficient knowledge or information in order to develop a belief as to the truth of the statement
107. In response to item 107, the Respondent denies the allegation.
108. In response to item 108, the Respondent admits the allegation to the extent that it had a MSDS but has no knowledge as to whether or not the information was given to any party.
109. In response to item 109, the Respondent admits the allegation to the extent that it had a MSDS but has no knowledge as to whether or not the information was given to any party.
110. In response to item 110, the Respondent admits the allegation.
111. In response to item 111, the Respondent admits the allegation.
112. In response to item 111, the Respondent deems the allegation to be ambiguous and is without sufficient knowledge or information in order to develop a belief as to the truth of the statement.
113. In response to item 113, the Respondent deems the allegation to be ambiguous and is without sufficient knowledge or information in order to develop a belief as to the truth of the statement.
114. In response to item 114, the Respondent deems the allegation to be ambiguous and is without sufficient knowledge or information in order to develop a belief as to the truth of the statement.
115. In response to item 115, the Respondent deems the allegation to be ambiguous and is without sufficient knowledge or information in order to develop a belief as to the truth of the statement.
116. In response to item 116, the Respondent deny the allegation.
117. In response to item 117, the Respondent denies the allegation.
118. In response to item 118, the Respondent denies the allegation.
119. In response to item 119, the Respondent denies the allegation.
120. In response to item 120, the Respondent is without sufficient knowledge or information in order to develop a belief as to the truth of the statement.

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121. In response to item 121, the Respondent is without sufficient knowledge or information in order to develop a belief as to the truth of the statement
122. In response to item 122, the Respondent is without sufficient knowledge or information in order to develop a belief as to the truth of the statement
123. In Response to item 123, the Respondent is without sufficient knowledge or information in order to form a belief as to the truth of the statements.
124. In response to item 124, the Respondent is without sufficient knowledge or information in order to develop a belief as to the truth of the statement
125. In response to item 125, the Respondent is without sufficient knowledge or information in order to develop a belief as to the truth of the statement.
126. In response to item 126, the Respondent does not understand what is meant by “oversaw” is without sufficient knowledge or information in order to develop a belief as to the truth of the statement.
127. In response to item 127, the respondent does not understand what is meant by “oversaw” and deems the allegation to be ambiguous and is without sufficient knowledge or information in order to develop a belief as to the truth of the statement.
128. In response to item 128, the Respondent admits the allegation..
129. In response to item 129, the Respondent admit the allegation.
130. In response to item 130, the Respondent admit the allegation.
131. In response to item 131, the Respondent admit the allegation.
132. In response to item 111, the Respondent denies the allegation..
133. In response to item 133, the Respondent denies the allegation
134. In response to item 134, the Respondent admit the allegation.
135. In response to item 135, the Respondent admit the allegation.
136. In response to item 136, the Respondent denies the allegation.
137. In response to item 137, the Respondent denies the allegation.
138. In response to item 138, the Respondent deems the allegation to be ambiguous and is

without sufficient knowledge or information in order to develop a belief as to the truth of the statement.

139. In response to item 139, the Respondent deems the allegation to be ambiguous and is without sufficient knowledge or information in order to develop a belief as to the truth of the statement.
140. In response to item 140, the Respondent denies the allegation as to the “control...” and deems the allegation to be ambiguous and is without sufficient knowledge or information in order to develop a belief as to the truth of the statement.
141. In response to item 141, the Respondent denies the allegation as to the “control...” and deems the allegation to be ambiguous and is without sufficient knowledge or information in order to develop a belief as to the truth of the statement.
142. In response to item 142, the Respondent deems the allegation to be ambiguous and is without sufficient knowledge or information in order to develop a belief as to the truth of the statement.
143. In response to item 143, the Respondent deems the allegation to be ambiguous and is without sufficient knowledge or information in order to develop a belief as to the truth of the statement.
144. In response to item 144, the Respondent deems the allegation to be ambiguous and is without sufficient knowledge or information in order to develop a belief as to the truth of the statement.
145. In response to item 145, the Respondent deems the allegation to be ambiguous and is without sufficient knowledge or information in order to develop a belief as to the truth of the statement.
146. In response to item 146, the Respondent denies the allegation
147. In response to item 147, the Respondent denies the allegation.
148. In response to item 148, the Respondent denies the allegation.
149. In response to item 149, the Respondent denies the allegation.
150. In response to item 150, the Respondent deems the allegation to be ambiguous and is without sufficient knowledge or information in order to develop a belief as to the truth of the statement.
151. In response to item 151, the Respondent deems the allegation to be ambiguous and is

without sufficient knowledge or information in order to develop a belief as to the truth of the statement.

152. In response to item 152, the Respondent denies the allegation.
153. In response to item 153, the Respondent denies the allegation.
154. In response to item 154, the Respondent deems the allegation to be ambiguous and is without sufficient knowledge or information in order to develop a belief as to the truth of the statement,.
155. In response to item 155, the Respondent deems the allegation to be ambiguous and is without sufficient knowledge or information in order to develop a belief as to the truth of the statement.
156. In response to item 156, the Respondent denies the allegation.
157. In response to item 157, the Respondent denies the allegation.
158. In response to item 158, the Respondent deems the allegation to be ambiguous and is without sufficient knowledge or information in order to develop a belief as to the truth of the statement, but believes the statement to be substantially true.
159. In response to item 159, the Respondent deems the allegation to be ambiguous and is without sufficient knowledge or information in order to develop a belief as to the truth of the statement, but believes the statement to be substantially true.
160. In response to item 160, the Respondent denies the allegation.
161. In response to item 161, the Respondent denies the allegation.
162. In response to item 162, the Respondent denies the allegation.
163. In response to item 163, the Respondent deems the allegation to be ambiguous and is without sufficient knowledge or information in order to develop a belief as to the truth of the statement, but believes the statement to be substantially false.
164. In response to item 164, the Respondent deems the allegation to be ambiguous and is without sufficient knowledge or information in order to develop a belief as to the truth of the statement, but believes the statement to be substantially false
165. In response to item 165, the Respondent deems the allegation to be ambiguous and is without sufficient knowledge or information in order to develop a belief as to the truth of the statement, but believes the statement to be substantially false.

Respectfully submitted,

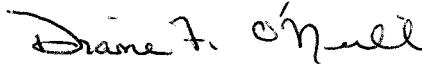
Diane F. O'Neill

Diane F. O'Neill
Attorney at Law
5487 N. Milwaukee Avenue
Chicago, IL 60630-1249
(773) 792-1333

CERTIFICATE OF SERVICE

I, the undersigned, certify that I have served the attached RESPONDENT'S ANSWER TO COMPLAINANT'S REQUEST TO ADMIT FACTS on behalf of E.O.R. ENERGY, LLC, a Colorado limited liability company, by first class mail on February 20, 2009 upon the following party:

Michael D. Mankowski
Assistant Attorney General
Illinois Attorney General's Office
500 S. Second St.
Springfield, Illinois 62706


Diane F. O'Neill

NOTARY SEAL

SUBSCRIBED AND SWORN TO ME this 20th

day of FEBRUARY, 20 09


Notary Public

