

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
v.)
)
TOWN OF CORTLAND)
an Illinois municipal corporation,)
)
Respondent.)

PCB 2011 - 067
(Enforcement - Water)

RECEIVED
CLERK'S OFFICE

JUN 03 2011

STATE OF ILLINOIS
Pollution Control Board

NOTICE OF FILING

TO: Zemeheret Bereket-Ab
Assistant Attorney General
Environmental Bureau
Illinois Attorney General's Office
69 W. Washington Street, Suite 1800
Chicago, IL 60602

John Therriault
Assistant Clerk of the Board
James R. Thompson Center
100 W. Randolph Street, Suite 11-500
Chicago, IL 60601

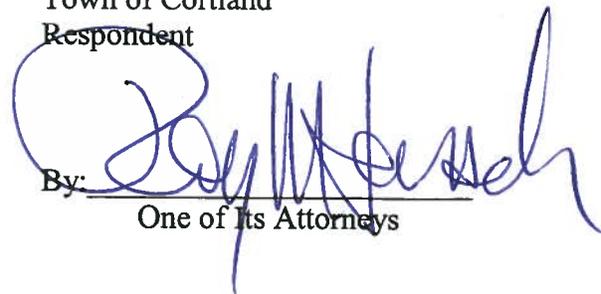
ORIGINAL

Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph Street, Suite 11-500
Chicago, IL 60601

PLEASE TAKE NOTICE that on June 3, 2011, I filed with the Office of the Clerk of the Illinois Pollution Control Board an **ENTRY OF APPEARANCE OF ROY M. HARSCH** and the **TOWN OF CORTLAND'S ANSWER**, copies of which are herewith served.

Respectfully submitted,

Town of Cortland
Respondent

By: 
One of Its Attorneys

Dated: June 3, 2011

Roy M. Harsch, Esq.
Drinker Biddle & Reath LLP
191 North Wacker Driver, Suite 3700
Chicago, IL 60606
(312) 569-1441 (telephone)
(312) 569-3441 (facsimile)

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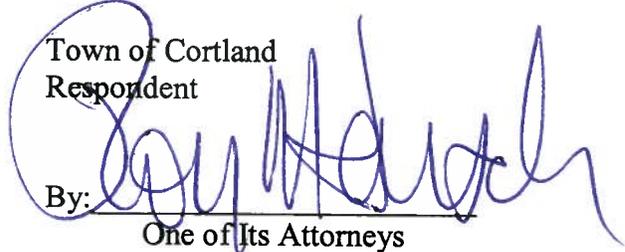
ORIGINAL

ENTRY OF APPEARANCE OF ROY M. HARSCH

NOW COMES Roy M. Harsch, of the law firm of Drinker Biddle & Reath LLP, and hereby enters his appearances on behalf of Respondent, Town of Cortland, in the above-referenced matter.

Respectfully submitted,

Town of Cortland
Respondent

By: 
One of Its Attorneys

Dated: June 3, 2011

Roy M. Harsch, Esq.
Drinker Biddle & Reath LLP
191 North Wacker Driver, Suite 3700
Chicago, IL 60606
(312) 569-1441 (telephone)
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CH01/ 25714120.2

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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PEOPLE OF THE STATE OF ILLINOIS,)
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ORIGINAL

COUNT I
WATER POLLUTION

1. This Count is brought on behalf of the People of the State of Illinois by Lisa Madigan, Attorney General of the State of Illinois, on her own motion and at the request of the Illinois Environmental Protection Agency ("Illinois EPA"), pursuant to the terms and provisions of Section 31 of the Illinois Environmental Protection Act ("Act"), 415 ILCS 5/31 (2010), against Respondent TOWN OF CORTLAND, an Illinois municipal corporation.

ANSWER: The Town of Cortland admits that the People purport to bring this Action pursuant to Sections 31 of the Illinois Environmental Protection Act ("Act"), 415 ILCS 5/31 (2010). The Town of Cortland is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph 1, and, therefore denies the same.

2. The Illinois EPA is an administrative agency of the State of Illinois created pursuant to Section 4 of the Act, 415 ILCS 5/4 (2010), and charged, *inter alia*, with the duty of enforcing the Act.

ANSWER: The statements in Paragraph 2 are legal conclusions to which a response from the Town of Cortland is neither necessary nor appropriate. Section 4 of the Act, 415 ILCS 5/4 (2010) speaks for itself and to the extent an answer is required, the Town of Cortland denies the allegations in Paragraph 2.

3. At all times relevant to this Complaint, Respondent, the Town of Cortland ("Cortland"), is and had been a municipal corporation duly organized and existing under the laws of the State of Illinois.

ANSWER: The Town of Cortland admits the allegations in Paragraph 3.

4. Cortland has a population of approximately 4,000 citizens and is located approximately four (4) miles east of the City of DeKalb and south of the City of Sycamore in DeKalb County, Illinois.

ANSWER: The Town of Cortland admits the allegations in Paragraph 4.

5. Cortland owns and operates wastewater spray irrigation fields and rigs located east of the town, north of Maple Park Road, with Rigs A1, A2, A3 and A4 on the east of Airport Road and Rigs B1, B2 and B3 on the west side of Airport Road.

ANSWER: The Town of Cortland admits the allegations in Paragraph 5. Answering further, the Town of Cortland owns and operates other spray irrigation fields and rigs located elsewhere.

6. Cortland's spray irrigation system consists of:

- A 3-cell aerated lagoon system;
- A turbo-disc filtration system;
- An ultra-violet disinfection system;
- 6,690 feet of 12-inch irrigation piping;
- 1,860 feet of 8-inch irrigation piping;
- 1225 feet of 6-inch irrigation piping;
- a spray irrigation application area of approximately 86 acres designed for an application rate of 1.6 inches per week during the 215-day irrigation season; and
- eight groundwater monitoring wells.

ANSWER: The Town of Cortland admits the allegations in Paragraph 6 to the extent that it lists portions of the physical system in existence that are used to collect, convey, treat, irrigate or discharge waste water by the Town of Cortland but denies that Paragraph 6 lists all existing equipment that is used to collect, convey, treat, irrigate or discharge waste water. Further answering, the design of the spray irrigation system and the subsequent conversion to a treatment system with a permitted surface discharge is fully set forth in various applications filed by the Town of Cortland with the Illinois EPA and that the reference to design information is only partially set forth in Paragraph 6 and according the Town of Cortland denies this statement.

7. On August 18, 2006, the Illinois EPA issued to Cortland Water Pollution control Permit No. 2005-GA-3591 for the operation of Cortland's Sewage Treatment Plant Spray Irrigation Phase1A ("State Operating Permit").

ANSWER: The Town of Cortland admits the allegations of Paragraph 7. Answering further, on March 9, 2009, the Illinois EPA issued to the Town of Cortland Water Pollution Control Permit No. 2005-GA-3591-3 for the operation of Cortland's Sewage Treatment Plant Spray Irrigation Phase1B ("Final State Operating Permit"). The Final State Operating Permit was

issued after the Illinois EPA issued to the Town of Cortland Permit No. 2005-GA3591-2 on August 11, 2006.

8. On July 17, 2009, the Illinois EPA's Rockford Regional Office received complaints of surface discharge of wastewater from the northeast corner of the designated spray field to an adjacent field to the east. Cortland's State Operating Permit does not allow for the surface discharge of wastewater from the spray field.

ANSWER: The Town of Cortland is without knowledge or information sufficient to form a belief as to the truth of the allegations of the first sentence in Paragraph 8, and, therefore denies the same. With respect to the second sentence of Paragraph 8, the Town of Cortland denies that cited permit was the current most recent permit then in effect. Furthermore the permit speaks for itself, the statements are legal conclusions to which a response from the Town of Cortland is neither necessary nor appropriate and to the extent an answer is required, the Town of Cortland denies the allegations in the third sentence of Paragraph 8.

9. On July 24, 2009, the Illinois EPA again received citizen complaints about Cortland's spray irrigation system. The irrigation system was spraying wastewater directly onto Airport Road for a period of approximately thirty minutes. Cortland's State Operating Permit does not allow for wastewater to be sprayed on land other than the permitted spray fields.

ANSWER: The Town of Cortland is without knowledge or information sufficient to form a belief as to the truth of the allegations of the first two sentences in Paragraph 8, and, therefore denies the same. With respect to the third sentence of Paragraph 9, the Town of Cortland states that the permit speaks for itself, the statements are legal conclusions to which a response from the Town of Cortland is neither necessary nor appropriate and to the extent an answer is required, the Town of Cortland denies the allegations in the third sentence of Paragraph 9.

10. As better known to the Defendant, the sprayed wastewater entered Union Ditch #1, tributary to the Kishwaukee River and/or roadside stormwater ditches.

ANSWER: The Town of Cortland denies that any of the treated wastewater which was being land applied entered Union Ditch and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph 10, and, therefore denies the same.

11. On September 24, 2009, the Illinois EPA sent a Violation Notice to Cortland for failure to comply with its State Operating Permit and unlawful discharge of wastewater. On information and belief, based on the design of the spray irrigation system, a thirty minute discharge would amount to approximately 9,000 gallons of wastewater.

ANSWER: The Town of Cortland admits that the Illinois EPA sent a Violation Notice to the Town of Cortland, , the Town of Cortland states that the Violation Notice speaks for itself and to the extent an answer is required, the Town of Cortland denies the allegations in the first sentence of Paragraph 11. The Town of Cortland admits that in its response to the Violation Notice it stated the basis for the second sentence in Paragraph 11, but answers that based upon further review believes that the amount of discharge would be substantially less than 9000 gallons and would be in the order of 4000 gallons of wastewater.

12. Section 12(a) of the Act, 425 ILCS 5/12(a)(2010), provides, in pertinent part, as follows:

No person shall:

- (a) Cause or threaten or allow the discharge of any contaminants into the environment in any State so as to cause or tend to cause water pollution in Illinois, either alone or in combination with matter from other sources, or so to violate regulations or standards adopted by the Pollution Control Board under this Act.

ANSWER: The Town of Cortland admits that part of Section 12 of the Act is accurately set forth in the allegations of Paragraph 12, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph 12, and, therefore, denies the same.

13. Section 3.315 of the Act, 415 ILCS 5/3.315 (2010), provides the following definition:

“Person” is any individual, partnership, co-partnership, firm, company, limited liability company, corporation, association, joint stock company, trust, estate, political subdivision, state agency, or any other legal entity, or their legal representative, agent or assigns.

ANSWER: The Town of Cortland admits that part of Section 3.315 of the Act is accurately set forth in the allegations of Paragraph 13, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph 13, and, therefore, denies the same.

14. Respondent Cortland is a “person” as that term is defined in Section 3.315 of the Act, 415 ILCS 5/3.315 (2010).

ANSWER: The statements in Paragraph 14 are legal conclusions to which a response from the Town of Cortland is neither necessary nor appropriate. To the extent an answer is appropriate, the Town of Cortland denies the allegations in Paragraph 14.

15. Section 3.165 of the Act, 415 ILCS 5/3.165 (2010), provides the following definition:

“Contaminant” is any solid, liquid, or gaseous matter, any order, or any form of energy, from whatever sources.

ANSWER: The Town of Cortland admits that part of Section 3.365 of the Act is accurately set forth in the allegations of Paragraph 15, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph 15, and, therefore, denies the same.

16. Wastewater is a “contaminant” as that term is defined in Section 3.165 of the Act, 415 ILCS 5/3.165(201).

ANSWER: The statements in Paragraph 16 are legal conclusions to which a response from the Town of Cortland is neither necessary nor appropriate. To the extent an answer is appropriate, the Town of Cortland denies the allegations in Paragraph 16.

17. Section 3.545 of the Act, 415 ILCS 5/3.545 (2010), provides the following definition:

“Water pollution” is such alteration of the physical, thermal, chemical, biological or radioactive properties of any waters of the State, or such discharge of any contaminant into any waters of the State, as will or is likely to create a nuisance or render such waters harmful or detrimental or injurious to public health, safety or welfare, or to domestic, commercial, industrial, agricultural, recreational, or other legitimate uses, or to livestock, wild animals, birds, fish, or other aquatic life.

ANSWER: The Town of Cortland admits that part of Section 3.545 of the Act is accurately set forth in the allegations of Paragraph 17, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph 17, and, therefore, denies the same.

18. Section 3.550 of the Act, 415 ILCS 5/3.550 (2010), provides the following definition:

“Waters” means all accumulations of water, surface and underground, natural, and artificial, public and private, or parts thereof, which are wholly or partially within, flow through, or border upon this State.

ANSWER: The Town of Cortland admits that part of Section 3.550 of the Act is accurately set forth in the allegations of Paragraph 18, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph 18, and, therefore, denies the same.

19. Union Ditch #1, tributary to Kishwaukee River and/or roadside stormwater ditches are “waters” as that term is defined in Section 3.550 of the Act, 415 ILCS 5/3.550 (201).

ANSWER: The statements in Paragraph 19 are legal conclusions to which a response from the Town of Cortland is neither necessary nor appropriate. To the extent an answer is appropriate, the Town of Cortland denies the allegations in Paragraph 19.

20. On July 17 and 24, 2009, wastewater was discharged from Cortland’s spray irrigation system to areas outside of the permitted irrigation area and entered Union Ditch #1 and/or roadside stormwater ditches, tributary to Kishwaukee River, waters of the State.

ANSWER: The Town of Cortland admits that on the cited dates it land applied treated waste water from its spray irrigation system. The remaining statements in Paragraph 20 are legal conclusions to which a response is neither necessary nor appropriate. To the extent an answer is

appropriate, the Town of Cortland denies the remaining allegations in Paragraph 20.

21. Respondent Cortland, by allowing discharges from the spray system outside the permitted area, caused or allowed wastewater to enter Union Ditch #1 and other roadside stormwater ditches, waters of the State, thereby causing, threatening or allowing water pollution.

ANSWER: The statements in Paragraph 21 are legal conclusions to which a response from the Town of Cortland is neither necessary nor appropriate. To the extent an answer is appropriate, the Town of Cortland denies the allegations in Paragraph 21.

22. By discharging wastewater to areas outside of the spray irrigation application area, Cortland caused, threatened or allowed water pollution in Illinois, in violation of Section 12(a) of the Act, 415 ILCS 5/13(a)(2010).

ANSWER: The statements in Paragraph 22 are legal conclusions to which a response from the Town of Cortland is neither necessary nor appropriate. To the extent an answer is appropriate, the Town of Cortland denies the allegations in Paragraph 22.

WHEREFORE, Complainant, PEOPLE OF THE STATE OF ILLINOIS, respectfully request that this Board enter an order in favor of complainant and against Respondent CORTLAND, with respect to this Count I:

1. Authorizing a hearing in this matter at which time Respondent will be required to answer the allegations herein;
2. Finding that Respondent has violated Section 12(a) of the Act, 415 ILCS 5/12(a) (2010);
3. Ordering Respondent to cease and desist from any further violations of Section 12(a) of the Act, 415 ILCS 5/12(a);
4. Assessing against the Respondent a civil penalty of Fifty Thousand Dollars (\$50,000.00) each for each and every violation of Section 12(a) of the Act, 415 ILCS 5/12(a) (2010), with an additional penalty of Ten Thousand Dollars (\$10,000.00) against the Respondent for each day of each violation of Section 12(a);
5. Ordering Respondent to implement measures to prevent surface discharges of wastewater from its wastewater spray irrigation system;
6. Ordering Respondent to pay all costs including attorney, expert witness, and consultant fees expended by the State in its pursuit of this action; and
7. Granting such other relief as the Board deems appropriate and just.

ANSWER: The statements in this prayer for relief are legal conclusions to which a response from the Town of Cortland is neither necessary nor appropriate. To the extent an answer is appropriate, the Town of Cortland denies this paragraph and denies that the People are entitled to any relief from the Town of Cortland.

COUNT II
FAILURE TO COMPLY WITH STATE OPERATING PERMIT

18. Complainant realleges and incorporates by reference herein paragraphs 1 through 11 and 13 through 19 of Count I as paragraphs 1-18 of this Count II.

ANSWER: The Town of Cortland realleges and incorporates by reference herein answers to paragraphs 1 through 11 and 13 through 19 of Count I as answers to paragraphs 1-18 of this Count II.

19. Section 12(b) of the Act, 415 ILCS 5/12(b) (2010), provides, in pertinent part, as follows:

No person shall:

* * *

(b) Construct, install, or operate any equipment, facility, vessel, or aircraft capable of causing or contributing to water pollution, or designed to prevent water pollution, of an type designated by Board regulations, without a permit granted by the Agency, or in violation of any conditions imposed by such permit.

ANSWER: The Town of Cortland admits that part of Section 12 of the Act is accurately set forth in the allegations of Paragraph 19, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph 19, and, therefore, denies the same.

20. Special Condition 7 of State Operating Permit No. 205-GA-3591 provides as follows:

This permit is issued with the express understanding that there shall be no surface discharge from the permitted facilities.

ANSWER: The Town of Cortland denies that cited permit was the current most recent permit then in effect. Furthermore because the permit speaks for itself no response is necessary or appropriate and the Town of Cortland is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph 20, and, therefore, denies the same.

21. The surface discharge of wastewater to areas outside the spray irrigation application area on July 17 and July 24, 2009, was in violation of Special Condition 7 of Cortland's State Operating Permit, #2005-GA-3591.

ANSWER: The Town of Cortland denies that cited permit was the current most recent permit then in effect. Furthermore the statements in Paragraph 21 are legal conclusions to which a

response from the Town of Cortland is neither necessary nor appropriate. To the extent an answer is appropriate, the Town of Cortland denies the allegations in Paragraph 21.

22. By operating in violation of special Condition 7 of its State Operating Permit, Cortland violated Section 12(b) of the Act, 415 ILCS 5/12(b) (2010).

ANSWER: The Town of Cortland denies that cited permit was the current most recent permit then in effect. Furthermore the statements in Paragraph 22 are legal conclusions to which a response from the Town of Cortland is neither necessary nor appropriate. To the extent an answer is appropriate, the Town of Cortland denies the allegations in Paragraph 22.

WHEREFORE, Complainant, PEOPLE OF THE STATE OF ILLINOIS, respectfully request that this Board enter an order in favor of complainant and against Respondent CORTLAND, with respect to this Count II:

1. Authorizing a hearing in this matter at which time Respondent will be required to answer the allegations herein;
2. Finding that Respondent has violated Section 12(b) of the Act, 415 ILCS 5/12(b) (2010);
3. Ordering Respondent to cease and desist from any further violations of Section 12(b) of the Act, 415 ILCS 5/12(b)(2010);
4. Assessing against the Respondent a civil penalty of Fifty Thousand Dollars (\$50,000.00) each for each and every violation of Section 12(b) of the Act, 415 ILCS 5/12(b)(2010), with an additional penalty of Ten Thousand Dollars (\$10,000.00) against the Respondent for each day of each violation of Section 12(b);
5. Ordering Respondent to implement measures to prevent future surface discharges of wastewater from its wastewater spray irrigation system;
6. Ordering Respondent to pay all costs including attorney, expert witness, and consultant fees expended by the State in its pursuit of this action; and
7. Granting such other relief as the Board deems appropriate and just.

ANSWER: The statements in this prayer for relief are legal conclusions to which a response from the Town of Cortland is neither necessary nor appropriate. To the extent an answer is appropriate, the Town of Cortland denies this paragraph and denies that the People are entitled to any relief from the Town of Cortland.

COUNT III
CREATION OF A WATER POLLUTION HAZARD

1-18. Complainant realleges and incorporates by reference herein paragraphs 1 through 18 of count II as paragraphs 1-18 of this Count III.

ANSWER: The Town of Cortland realleges and incorporates by reference herein answers to paragraphs 1 through 18 of Count II as answers to paragraphs 1-18 of this Count III.

19. Section 12(d) of the Act, 415 ILCS 5/12(d) (2010), provides, in pertinent part, as follows:
No person shall:

* * *

(d) Deposit any contaminants upon the land in such place and manner so as to create a water pollution hazard.

ANSWER: The Town of Cortland admits that part of Section 12 of the Act is accurately set forth in the allegations of Paragraph 19, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph 19, and, therefore, denies the same.

20. Spraying wastewater on areas outside the spray irrigation application area allowed contaminants to be deposited on land in such a manner as to create a water pollution hazard, in violation of Section 12(d) of the Act, 415 ILCS 5/12(d) (2010).

ANSWER: The statements in Paragraph 20 are legal conclusions to which a response from the Town of Cortland is neither necessary nor appropriate. To the extent an answer is appropriate, the Town of Cortland denies the allegations in Paragraph 20.

WHEREFORE, Complainant, PEOPLE OF THE STATE OF ILLINOIS, respectfully request that this Board enter an order in favor of complainant and against Respondent CORTLAND, with respect to this Count III:

1. Authorizing a hearing in this matter at which time Respondent will be required to answer the allegations herein;
2. Finding that Respondent has violated Section 12(d) of the Act, 415 ILCS 5/12(d) (2010);
3. Ordering Respondent to cease and desist from any further violations of Section 12(d) of the Act, 415 ILCS 5/12(d)(2010);
4. Assessing against the Respondent a civil penalty of Fifty Thousand Dollars (\$50,000.00) each for each and every violation of Section 12(d) of the Act, 415 ILCS

5/12(d)(2010), with an additional penalty of Ten Thousand Dollars (\$10,000.00) against the Respondent for each day of each violation of Section 12(d);

5. Ordering Respondent to implement measures to prevent future surface discharges of wastewater from its wastewater spray irrigation system;

6. Ordering Respondent to pay all costs including attorney, expert witness, and consultant fees expended by the State in its pursuit of this action; and

7. Granting such other relief as the Board deems appropriate and just.

ANSWER: The statements in this prayer for relief are legal conclusions to which a response from the Town of Cortland is neither necessary nor appropriate. To the extent an answer is appropriate, the Town of Cortland denies this paragraph and denies that the People are entitled to any relief from the Town of Cortland.

AFFIRMATIVE DEFENSES

The Town of Cortland denies all allegations of alleged wrongdoing by itself and further denies all allegations which otherwise have not been expressly admitted in this Answer. In addition, the Town of Cortland asserts the following affirmative defenses. The Town of Cortland does not assume the burden of proof on these defenses where substantive law provides otherwise.

FIRST AFFIRMATIVE DEFENSE

The People and Illinois EPA have failed to follow the required procedures of the Illinois Environmental Protection Act ("Act"), 415 ILCS 5/1, *et seq.* (2008). Illinois EPA did not provide the Town of Cortland with a notice of violation, as required by 415 ILCS 5/31(a)(1), for all of the alleged violations contained in this complaint and therefore did not give the Town of Cortland the opportunity to respond to Illinois EPA regarding the alleged violations.

SECOND AFFIRMATIVE DEFENSE

The People's Complaint should be dismissed because it fails to state a cause of action upon which relief can be granted.

THIRD AFFIRMATIVE DEFENSE

The cited State Operating Permit throughout the relevant time period for this complaint was not the most currently issued Operating Permit issued by the Illinois EPA as they had issued two permits since the cited permit was issued..

FOURTH AFFIRMATIVE DEFENSE

The Town of Cortland has never had a surface discharge of treated wastewater prior to the issuance of a NPDES Permit authorizing such discharge.

FIFTH AFFIRMATIVE DEFENSE

The Illinois EPA issued to the Town of Cortland NPDES Permit No.IL0079065 authorizing the surface discharge of treated waste water to Union Ditch#1 on December 22, 2009.

SIXTH AFFIRMATIVE DEFENSE

The July 17, 2009 alleged event was due to an Act of God beyond the reasonable control of the Town of Cortland.

SEVENTH AFFIRMATIVE DEFENSE

The July 24, 2009 alleged event was due to a malfunction caused by an act of sabotage or vandalism by an unknown third party and beyond the reasonable control of the Town of Cortland.

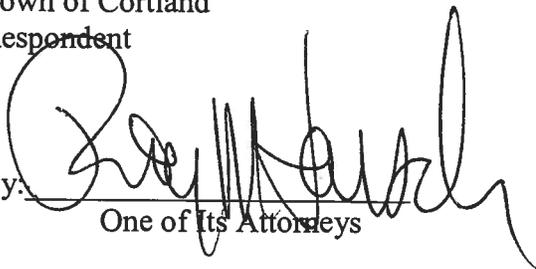
ADDITIONAL AFFIRMATIVE DEFENSES

The Town of Cortland reserves the right to add further additional defenses after receiving information from the People or other parties through discovery.

WHEREFORE, Respondent, the Town of Cortland, respectfully requests that the Board enter an order in favor of Respondent and any such other relief as the Board deems appropriate.

Respectfully submitted,

Town of Cortland
Respondent

By: 
One of Its Attorneys

Dated: June 3, 2011

Roy M. Harsch, Esq.
Drinker Biddle & Reath LLP
191 North Wacker Driver, Suite 3700
Chicago, IL 60606
(312) 569-1441 (telephone)
(312) 569-3441 (facsimile)

CERTIFICATE OF SERVICE

I, Roy M. Harsch, the undersigned, certify that I have served the attached ENTRY OF APPEARANCE OF ROY M. HARSCH and the TOWN OF CORTLAND'S ANSWER as follows:

via Hand Delivery on June 3, 2011:

Clerk of the Board
Illinois Pollution Control Board
100 West Randolph Street
Suite 11-500
Chicago, Illinois 60601

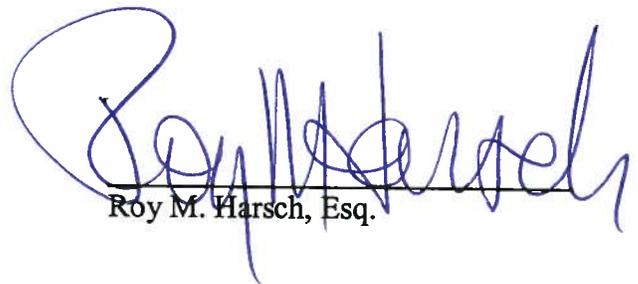
RECEIVED
CLERK'S OFFICE
JUN 03 2011
STATE OF ILLINOIS
Pollution Control Board

via first class mail, postage pre-paid on June 3, 2011 upon Complainant:

Zemheret Bereket-Ab
Assistant Attorney General
Environmental Bureau
Illinois Attorney General's Office
69 W. Washington St., 18th Floor
Chicago, IL 60602

ORIGINAL

Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph Street, Suite 11-500
Chicago, IL 60601


Roy M. Harsch, Esq.