

**RECEIVED**  
CLERK'S OFFICE  
JUN 2 2003  
STATE OF ILLINOIS  
*Pollution Control Board*

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,	)	
	)	
Complainant,	)	
	)	
vs.	)	PCB 96-143
	)	(Enforcement - Water)
MICHEL GRAIN COMPANY, INC.,	)	
a/k/a MICHEL FERTILIZER, an	)	
Illinois Corporation, CARYLE	)	
MICHEL and RONNIE TODD,	)	
	)	
Respondents.	)	

**RESPONSE TO REQUEST TO ADMIT FACTS**

Now comes the Respondent, Caryle Michel, by his attorney, Douglas A. Antonik, and states the following in support of this response .

1. Respondent, Caryle Michel denies the allegations contained in paragraph 1 of the Request to Admit.
2. Respondent Caryle Michel does not have sufficient information to either admit or deny the allegations contained in paragraph 2 of the Request to Admit.
3. Respondent Caryle Michel does not have sufficient information to either admit or deny the allegations contained in paragraph 2 of the Request to Admit.
4. Respondent Caryle Michel does not have sufficient information to either admit or deny the allegations contained in paragraph 2 of the Request to Admit.
5. Respondent Caryle Michel does not have sufficient information to either admit

or deny the allegations contained in paragraph 2 of the Request to Admit.

6. Respondent Caryle Michel does not have sufficient information to either admit or deny the allegations contained in paragraph 2 of the Request to Admit.

7. Respondent Caryle Michel does not have sufficient information to either admit or deny the allegations contained in paragraph 2 of the Request to Admit.

8. Respondent Caryle Michel does not have sufficient information to either admit or deny the allegations contained in paragraph 2 of the Request to Admit.

9. Respondent Caryle Michel does not have sufficient information to either admit or deny the allegations contained in paragraph 2 of the Request to Admit.

10. Respondent Caryle Michel does not have sufficient information to either admit or deny the allegations contained in paragraph 2 of the Request to Admit.

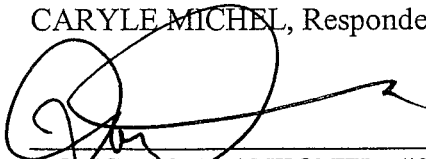
11. Respondent Caryle Michel denies the allegations contained in paragraph 11 of the Request to Admit.

12. Respondent Caryle Michel denies the allegations contained in paragraph 11 of the Request to Admit.

13. Respondent Caryle Michel denies the allegations contained in paragraph 11 of the Request to Admit.

CARYLE MICHEL, Respondent

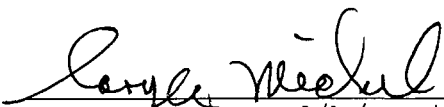
BY:

  
\_\_\_\_\_  
DOUGLAS A. ANTONIK - #06190629

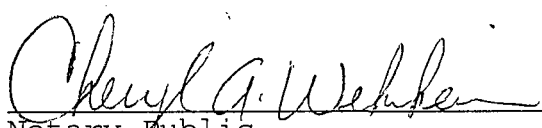
VERIFICATION

STATE OF ILLINOIS            )  
  )  SS.  
COUNTY OF JEFFERSON        )

I, Caryle Michel, being first duly sworn on oath, depose and state that I am the Respondent in the above-entitled cause; and I have read the foregoing Response to Admit Facts and the contents contained therein are true and correct to the best of my knowledge and belief.

  
\_\_\_\_\_  
CARYLE MICHEL d/b/a Michel  
Fertilizer and Equipment

Subscribed and sworn to before me this 30th day of  
May, 2003.

  
\_\_\_\_\_  
Notary Public

ANTONIK LAW OFFICES  
1921 Broadway - P. O. Box 594  
Mt. Vernon, IL 62864  
Phone: (618) 244-5739  
Fax: (618) 244-9633



**CERTIFICATE OF SERVICE**

The undersigned certifies that a copy of the foregoing instrument was served upon:

Angela Eaton Hamilton  
Assistant Attorney General  
500 South Second Street  
Springfield, IL 62706

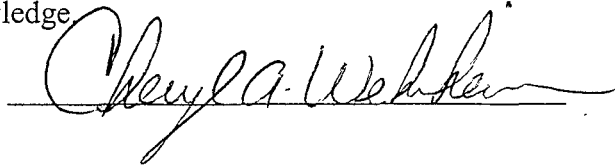
Dorothy Gunn, Clerk  
Illinois Pollution Control Board  
State of Illinois Center  
100 West Randolph  
Chicago, IL 60601

~~Steve Langhoff <sup>23</sup>  
Hearing Officer  
Pollution Control Board  
600 South Second Street, Ste. 402  
Springfield, IL 62704~~

Carol Sudman  
Hearing Officer  
Illinois Pollution Control Board  
600 S. Second St., Ste. 402  
Springfield, IL 62704

William F. Bonan  
P.O. Box 309  
McLeansboro, IL 62859

by enclosing in an envelope with postage fully prepaid and by depositing said envelope in a U. S. Post Office mail box in Mt. Vernon, Illinois, on the 30 day of May, 2003. The above is true and correct to the best of the undersigned's knowledge



ANTONIK LAW OFFICES  
1921 Broadway - P. O. Box 594  
Mt. Vernon, IL 62864  
Phone: (618) 244-5739  
Fax: (618) 244-9633  
AntonikLaw@charter.net

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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

STATE OF ILLINOIS  
Pollution Control Board

PEOPLE OF THE STATE OF ILLINOIS, )  
)  
Complainant, )  
)  
vs. ) PCB 96-143  
) (Enforcement - Water)  
MICHEL GRAIN COMPANY, INC., )  
a/k/a MICHEL FERTILIZER, an )  
Illinois Corporation, CARYLE )  
MICHEL and RONNIE TODD, )  
)  
Respondents. )

CERTIFICATE OF MAILING

(Ronnie Todd and Ronnie Todd Land Trust)

The undersigned certifies that a copy of following documents were deposited in a United States Post Office Box in Mt. Vernon, Illinois, at 5:00 p.m. on the 30th day of May, 2003 along with the Answers to Interrogatories.

1. Enforcement Notice ltr 2/6/96
2. Enforcement Notice ltr 8/6/91
3. Quit Claim Deed filed 7/10/97
4. Real Estate Transfer Documents
5. Contract for sale & Installment Contract
6. Fax transmission to Todd from Michel 8/27/99
7. Ltr from EPA to Michel 4/2/92
8. Real Estate Sale documents, Michel to Todd
9. Ltr form Jennifer Crain 5/31/96
10. Field Notes/Reconnaissance inspection 1/28/92
11. Ltr to Jennifer Crain re Freedom of Information Request from Joseph Svoboda 5/13/96
12. Field Notes/Reconnaissance Inspection 2/16/96
13. Field Notes/Reconnaissance Inspection 1/31/95
14. Field Notes/Reconnaissance Inspection 8/24/93
15. Field Notes/Reconnaissance Inspection 12/23/92
16. Memo to file from Larry Ziemba 3/31/92
17. Field Notes/Reconnaissance Inspection 3/31/92
18. Field Notes/Initial Investigation 1/9/92
19. Ltr from Attorney General Desiree Pari to Jennifer Martin 3/1/99
20. Ltr from Jennifer Martin to Caryle Michel 8/15/99

That postage was fully prepaid and the documents were addressed to the following:

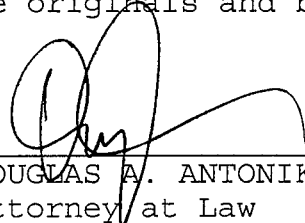
Angela Eaton Hamilton  
Assistant Attorney General  
500 South Second Street  
Springfield, IL 62706

Dorothy Gunn, Clerk  
Illinois Pollution Control Board  
State of Illinois Center  
100 West Randolph  
Chicago, IL 60601

Carol Sudman  
Hearing Officer  
Illinois Pollution Control Board  
600 S. Second St., Ste. 402  
Springfield, IL 62704

William F. Bonan  
P.O. Box 309  
McLeansboro, IL 62859

That the undersigned has retained the originals and becomes the custodian thereof.



---

DOUGLAS A. ANTONIK  
Attorney at Law  
1921 Broadway, P.O. Box 594  
Mt. Vernon, IL 62864  
(618)244-5739  
IL. ARDC # 06190629

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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD  
STATE OF ILLINOIS  
Pollution Control Board

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Complainant,	)	
	)	
vs.	)	PCB 96-143
	)	(Enforcement - Water)
MICHEL GRAIN COMPANY, INC.,	)	
a/k/a MICHEL FERTILIZER, an	)	
Illinois Corporation, CARYLE	)	
MICHEL and RONNIE TODD,	)	
	)	
Respondents.	)	

RESPONSE TO REQUEST TO PRODUCE PROPOUNDED BY RONNIE  
TODD AND RONNIE TODD LAND TRUST

I, Caryle Michel, being first duly sworn on oath, depose and state that I have reviewed the Request to Produce served upon me by Respondent Ronnie Todd and Ronnie Todd Land Trust, and made available all documents which are in my possession, custody or control to my attorney, Douglas A. Antonik, for inspection.

1. Attached to Response to Request to Produce Documents.
2. Attached to Response to Request to Produce Documents.
3. Attached to Response to Request to Produce Documents.
4. Attached to Response to Request to Produce Documents.

  
 CARYLE MICHEL, d/b/a Michel  
 Fertilizer and Equipment

Subscribed and sworn to before me this 30th day of  
May, 2003.

Cheryl A. Wehrheim  
Notary Public

ANTONIK LAW OFFICES  
1921 Broadway, P.O. Box 594  
Mt. Vernon, IL 62864  
618-244-5739



### CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing instrument was served upon:

Angela Eaton Hamilton  
Assistant Attorney General  
500 South Second Street  
Springfield, IL 62706

Dorothy Gunn, Clerk  
Illinois Pollution Control Board  
State of Illinois Center  
100 West Randolph  
Chicago, IL 60601

F. William Bonan  
Attorney at Law  
North Side Square  
McLeansboro, IL 62859

Carol Sudman  
Hearing Officer  
Illinois Pollution Control Board  
600 S. Second St., Ste. 402  
Springfield, IL 62704

by enclosing in an envelope with postage fully prepaid and by depositing said envelope in a U. S. Post Office mail box in Mt. Vernon, Illinois, on the 30th day of May, 2003. The above is true and correct to the best of the undersigned's knowledge.

Cheryl A. Wehrheim

ANTONIK LAW OFFICES  
1921 Broadway - P. O. Box 594  
Mt. Vernon, IL 62864  
Phone: (618) 244-5739  
Fax: (618) 244-9633



BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,	)	
	)	
Complainant,	)	
	)	
vs.	)	PCB 96-143
	)	(Enforcement - Water)
MICHEL GRAIN COMPANY, INC.,	)	
a/k/a MICHEL FERTILIZER, an	)	
Illinois Corporation, CARYLE	)	
MICHEL and RONNIE TODD,	)	
	)	
Respondents.	)	

VERIFICATION TO REQUEST TO PRODUCE PROPOUNDED BY RONNIE TODD AND RONNIE TODD LAND TRUST

I, Caryle Michel, being first duly sworn on oath, depose and state that I have reviewed the Request to Produce served upon me by Respondent Ronnie Todd and Ronnie Todd Land Trust, and made available all documents which are in my possession, custody or control to my attorney, Douglas A. Antonik, for inspection.

*Caryle Michel*  
 \_\_\_\_\_  
 CARYLE MICHEL, d/b/a Michel  
 Fertilizer and Equipment

Subscribed and sworn to before me this 30th day of May, 2003.

*Cheryl A. Wehrheim*  
 \_\_\_\_\_  
 Notary Public

Douglas A. Antonik  
ANTONIK LAW OFFICES  
1921 Broadway, P.O. Box 594  
Mt. Vernon, IL 62864  
618-244-5739



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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD **STATE OF ILLINOIS**  
**Pollution Control Board**

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Complainant, )  
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) (Enforcement - Water)  
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a/k/a MICHEL FERTILIZER, an )  
Illinois Corporation, CARYLE )  
MICHEL and RONNIE TODD, )  
)  
Respondents. )

CERTIFICATE OF MAILING  
(State of Illinois)

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5. Contract for sale & Installment Contract
6. Fax transmission to Todd from Michel 8/27/99
7. Ltr from EPA to Michel 4/2/92
8. Real Estate Sale documents, Michel to Todd
9. Map Broughton
10. Boatman's Bank Mortgage
11. Title Insurance
12. Boatman's Note
13. Ltr to 1st State Bank Eldorado 2/28/90
14. Promissory Note 3/27/89
15. Ltr 11/16/99 for IL Pollution Control Borad
16. Bill of Sale
17. Plat
18. Quit Claim recorded 8/30/91
19. Map Broughton
20. Rister - Checks
21. Ltr 10/3/90 re utilities @ Broughton re Rister
22. Warranty Deed 2/9/89
23. Ltr Boatman's 1/11/89 & title insurance
24. Ltr to Jennifer Crain & Christine Zeman from Michel

25. Map Broughton
26. Ltr EPA from Michel 11/6/89
27. Lab analysis 6/17/96 from Michel to Jennifer Crain
28. ARDL Report

That postage was fully prepaid and the documents were addressed to the following:

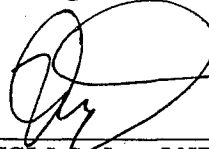
Angela Eaton Hamilton  
Assistant Attorney General  
500 South Second Street  
Springfield, IL 62706

Dorothy Gunn, Clerk  
Illinois Pollution Control Board  
State of Illinois Center  
100 West Randolph  
Chicago, IL 60601

Carol Sudman  
Hearing Officer  
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600 S. Second St., Ste. 402  
Springfield, IL 62704

William F. Bonan  
P.O. Box 309  
McLeansboro, IL 62859

That the undersigned has retained the originals and becomes the custodian thereof.



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Attorney at Law  
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Illinois Corporation, CARYLE )  
MICHEL and RONNIE TODD, )  
)  
Respondents. )

RESPONSE TO SECOND REQUEST FOR THE PRODUCTION OF  
DOCUMENTS PROPOUNDED BY THE STATE OF ILLINOIS

I, Caryle Michel, being first duly sworn on oath, depose and state that I have reviewed the Request to Produce served upon me by Complainant, the State of Illinois, and made available all documents which are in my possession, custody or control to my attorney, Douglas A. Antonik, for inspection.

1. Attached to Response to Request to Produce Documents.
2. Attached to Response to Request to Produce Documents.
3. All documents requested are available for inspection and copying at:

ANTONIK LAW OFFICES  
1921 Broadway  
Mt. Vernon, IL 62864  
618-244-5739

Counsel for the Respondent, Caryle Michel has advised Assistant Attorney General, Angela Eaton Hamilton that the bankruptcy documents are too voluminous to copy and that they are available for inspection and copying.

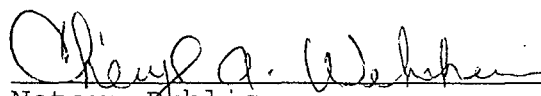
1. Attached is the deed from the bank to Caryle and Catherine Michel.

5. Respondent filed a Motion to Strike Discovery request pursuant to the Ina Facility as the matter regarding the Ina facility has been resolved.
6. All documents requested as to the Broughton facility are attached.  
Respondent filed a Motion to Strike Discovery request pursuant to the Ina Facility as the matter regarding the Ina facility has been resolved.
7. There was an oral lease between Jerry Rister and Caryle Michel but additional documents are attached relating to the lease transaction between Rister and Michel.
8. There was an oral lease between Ronnie Todd and Caryle Michel but additional documents are attached relating to the lease transaction between Todd and Michel.
9. Attached is the contract for sale and the deed between Michel and Todd.
10. Respondent filed a Motion to Strike Discovery request pursuant to the Ina Facility as the matter regarding the Ina facility has been resolved.
11. Respondent filed a Motion to Strike Discovery request pursuant to the Ina Facility as the matter regarding the Ina facility has been resolved.
12. Attached are maps and drawings of the Broughton facility.
13. Respondent filed a Motion to Strike Discovery request pursuant to the Ina Facility as the matter regarding the Ina facility has been resolved. Respondent has attached correspondence with respect to the Broughton facility.
14. Respondent filed a Motion to Strike Discovery request pursuant to the Ina Facility as the matter regarding the Ina facility has been resolved. No correspondence was located as to the Broughton facility.
15. The ARDL Report is attached.
16. Respondent filed a Motion to Strike Discovery request pursuant to the Ina Facility as the matter regarding the Ina facility has been resolved. Attached are documents

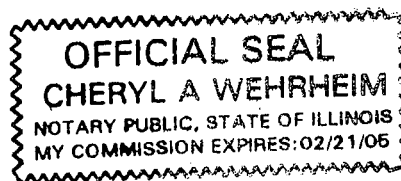
as to the Broughton facility.

  
CARYLE MICHEL, d/b/a Michel  
Fertilizer and Equipment

Subscribed and sworn to before me this 30th day of  
May, 2003.

  
Notary Public

Douglas A. Antonik  
ANTONIK LAW OFFICES  
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Mt. Vernon, IL 62864  
618-244-5739



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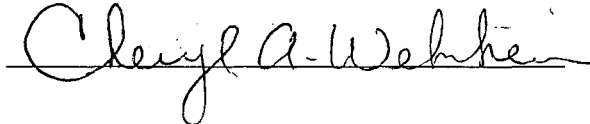
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F. William Bonan  
Attorney at Law  
North Side Square  
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Carol Sudman  
Hearing Officer  
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Mt. Vernon, IL 62864  
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Fax: (618) 244-9633  
AntonikLaw@xharter.net

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*Caryle Michel*  
 \_\_\_\_\_  
 CARYLE MICHEL, d/b/a Michel  
 Fertilizer and Equipment

Subscribed and sworn to before me this 30th day of May, 2003.

*Cheryl A. Wehrheim*  
 \_\_\_\_\_  
 Notary Public

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