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STATE OF ILLINOIS
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Complainant,

v.

STEVEN B. MEUSER & DEBORAH S.,
MEUSER and MEUSER
CONSTRUCTION & EXCAVATION

Respondent.

AC

(IEPA No. 231-12-AC)

NOTICE OF FILING

To: Clerk of the Illinois Pollution Control Board
State of Illinois Center
100 West Randolph, Suite 11-500
Chicago, IL 60601

Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 61794-9276
Attention: Division of Legal Counsel

PLEASE TAKE NOTICE that on this date I mailed for filing with the Clerk of the Pollution Control Board of the State of Illinois the Petition for Review of Steven B. Meuser and Meuser Construction & Excavation, Respondents, together with the Notice of Appearance of Ross Sorensen, attorney for Respondents, and a Letter of Explanation from Steven B. Meuser.

Dated: November 16, 2012.

Respectfully Submitted,



Ross Sorensen

Martensen & Niemann
Attorneys at Law
140 North Taft Street
P.O. Box 146
Paxton, Illinois 60957
Telephone: (217) 379-4311

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(IEPA No. 231-12-AC)

PETITION FOR REVIEW

I, Steven B. Meuser, individually and on behalf of my wife, DEBORAH S. MEUSER, and as President of Meuser Construction & Excavation hereby petition the Illinois Pollution Control Board for a hearing to contest the Administrative Citation dated October 5, 2012 in this case.

Respectfully Submitted,


STEVEN B. MEUSER

Martensen & Niemann
Attorneys at Law
140 North Taft Street
P.O. Box 146
Paxton, Illinois 60957
Telephone: (217) 379-4311

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Pollution Control Board

PROOF OF SERVICE

I hereby certify that I did on the 16th day of November, 2012, send by U.S. Mail with postage thereon fully prepaid, by depositing in a United States Post Office Box the original of the following instrument(s) entitled Petition for Review, Notice of Filing, Notice of Appearance, and Letter of Explanation:

To: Clerk of the Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph, Suite 11-500
Chicago, IL 60601

and a true copy of the same foregoing instrument(s) on the same date by U.S. Mail with postage thereon fully prepaid

To: Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 61794-9276
Attention: Division of Legal Counsel



Ross Sorensen, Attorney for Respondents

Martensen & Niemann
Attorneys at Law
140 North Taft Street
P.O. Box 146
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NOTICE OF APPEARANCE

The undersigned, Ross Sorensen, Attorney at Law, hereby enters his appearance on behalf of Respondents.



Ross Sorensen

LETTER OF EXPLANATION

To whom it may concern:

With regard to the administrative citations that I am being accused of I would like to further explain the circumstances in which they arose and the steps that I have taken after to the fact to remedy the alleged violations.

With regard to the bricks and concrete that had wood in them, I have since separated out all of the wood from the pile and taken the wood to be properly disposed of at a landfill. I will admit that there was wood in the pile and that I had failed to separate the wood from the bricks and concrete in a timely manner. I keep the bricks for use as landscaping around my property as well as for any repairs of my buildings.

With regard to the load that your inspector, Mr. Mullins, referred to as litter, I have since separated this load and removed the iron and metal to be salvaged and taken all wood to be properly disposed of at a landfill. The load was placed on my property the day before Mr. Mullins arrived to inspect the property. It was a load of items taken from my elderly mother's home in Fisher. I agree that I should have separated the load and taken each portion to its correct destination from the start. I did not have time to sort it at her house due to the imminent sale of her home.

Sincerely,



STEVEN B. MEUSER