

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	
)	
vs.)	No. AC 2013-41
)	(IEPA No. 57-13-AC)
ROBERT & TIA MIXER,)	
)	
Respondents.)	

NOTICE OF FILING

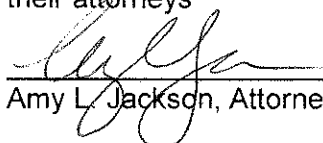
To: Michelle M. Ryan
Special Assistant Attorney General
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

PLEASE TAKE NOTICE that on this date I electronically filed with the Clerk of the Illinois Pollution Control Board of the State of Illinois, a PETITION FOR REVIEW and this NOTICE OF FILING, on behalf of the above-named Respondents. Copies of same are provided to the above-named counsel by electronic mail and first class mail also on this same date.

Respectfully submitted,

ROBERT MIXER and TIA MIXER,
Respondents

BY: RAMMELKAMP BRADNEY, P.C.,
their attorneys

BY: 

Amy L. Jackson, Attorney

Attorneys for Respondents:
Rammelkamp Bradney, P.C.
Amy L. Jackson, Attorney
232 West State Street
P.O. Box 550
Jacksonville, IL 62651-0550
Telephone: (217) 245-6177

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PETITION FOR REVIEW

COME NOW the Respondents, ROBERT MIXER and TIA MIXER, by and through their attorneys, Rammelkamp Bradney, P.C., and pursuant to 35 Ill. Adm. Code 108.100 *et seq.* file this Petition for Review of the Administrative Citation filed by Complainant, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY. In support of this Petition for Review, Respondents state as follows:


1. Respondents were served with the Administrative Citation on April 3, 2013, and accordingly, this Petition is timely filed in accordance with 35 Ill. Adm. Code 108.204.
2. Said Administrative Citation alleges various violations of the Environmental Protection Act, all of which are disputed by the Respondents.
3. Respondents maintain the property at issue as part of an ongoing business and specifically deny that they caused or allowed the any alleged open dumping violations on the property.
4. Specifically, Respondents maintain that none of the items listed and characterized as waste by Complainant is a waste; rather the items referred to in the inspection report and Administrative Citation are materials utilized in the day-to-day operations of the business.

5. Accordingly, the allegations of the Administrative Citation are disputed.

WHEREFORE, Respondents, ROBERT MIXER and TIA MIXER, respectfully request that the Board set this matter for hearing and after hearing dismiss the Administrative Citation with a finding of no violation.

ROBERT MIXER and TIA MIXER,
Respondents

BY: RAMMELKAMP BRADNEY, P.C., their
Attorneys

BY: 

Amy L. Jackson, Attorney

Attorneys for Respondents:
Rammelkamp Bradney, P.C.
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232 West State Street
P.O. Box 550
Jacksonville, IL 62651-0550
Telephone: (217) 245-6177

Attorney for Complainant:
Michelle M. Ryan
Special Assistant Attorney General
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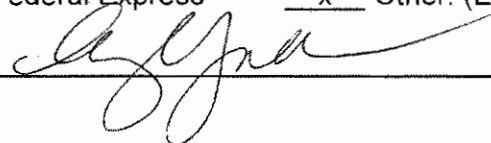
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PROOF OF SERVICE

The undersigned certifies that she served a Notice of Filing and Petition for Review upon the Complainant's attorney of record at her respective address disclosed on the pleadings on May 8, 2013, by:

<input checked="" type="checkbox"/> U.S. Mail	<input type="checkbox"/> FAX
<input type="checkbox"/> Hand Delivered	<input type="checkbox"/> Overnight Courier
<input type="checkbox"/> Federal Express	<input checked="" type="checkbox"/> Other: (Electronic Mail)

Signature: 

Attorney for Complainant:
Michelle M. Ryan
Special Assistant Attorney General
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276
e-mail: michelle.ryan@illinois.gov