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ILLINOIS POLLUTION CONTROL BOARD

MAR 24 2014

STATE OF ILLINOIS  
Pollution Control Board

ILLINOIS ENVIRONMENTAL PROTECTION  
AGENCY,

Complainant,

v.

GERALD CAIN and  
REYNOLDS SERVICE CO., INC.

Respondents.

AC14-37

IEPA No. 41-14-AC



ORIGINAL

NOTICE OF FILING

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

PLEASE TAKE NOTICE that on the date below I mailed for filing with the Clerk of  
the Pollution Control Board of the State of Illinois the following documents:

PETITION FOR REVIEW, CERTIFICATE OF SERVICE, NOTICE OF APPEARANCE, and

AFFIDAVIT

Dated: 3/19/14

Respectfully submitted,  
Reynolds Service Co., Inc.

Allen W. James, Attorney for Respondent  
Illinois Registration #6239218

Prepared by:  
Law Office of Allen W. James  
137 W. Vienna St., Suite 1A  
Anna, IL 62906  
618-833-5678

ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,

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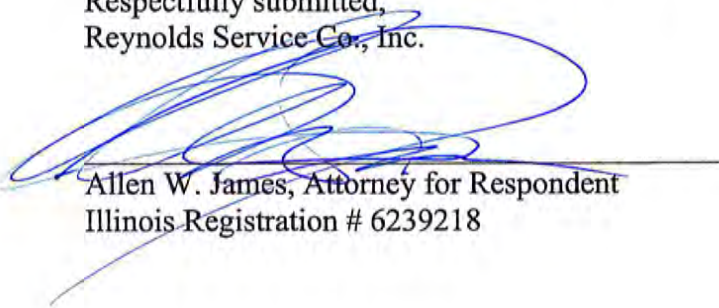
MAR 24 2014

STATE OF ILLINOIS Pollution Control Board

ENTRY OF APPEARANCE

NOW COMES Attorney Allen W. James hereby enters his appearance on behalf of Respondent, REYNOLDS SERVICE CO., INC., and hereby requests that he receive copies of any and all past and future filings, notices, documents, and res related to the instant matter.

Respectfully submitted,  
Reynolds Service Co., Inc.



Allen W. James, Attorney for Respondent  
Illinois Registration # 6239218

Prepared by:

Law Office of Allen W. James  
137 W. Vienna St., Suite 1A  
Anna, IL 62906  
618-833-5678

ILLINOIS POLLUTION CONTROL BOARD

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IEPA No. 41-14-AC

PETITION FOR REVIEW

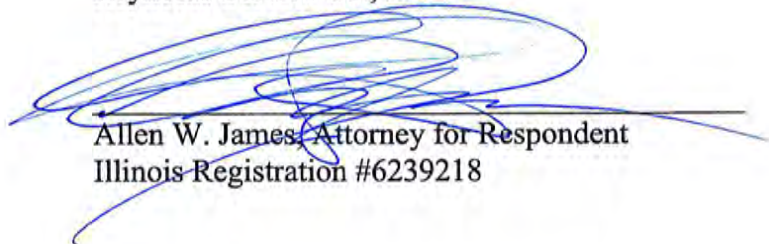
NOW COMES the Respondent, Reynolds Service Co., Inc, by and through its attorney, Allen W. James, filing a Petition for Review of the Administrative Citation served on February 18, 2014, by the Complainant, Illinois Environmental Protection Agency, stating as follows:

1. That the Respondent denies each of the facts set forth in Paragraphs 1 through 3 in the Administrative Citation with the exception of the Site Code Number of which the Respondent has no knowledge.
2. That the Complainant alleges in Paragraph 4 references an inspection, which asserts that the inspector made contact with the Respondent. The Respondent cannot assert whether or not an inspection was conducted, but the Respondent denies that anyone in the employee of the Complainant ever made contact with him concerning the alleged violations or the location inspected.
3. The Respondent has not violated the Environmental Protection Act as alleged in the Administrative Citation.

**WHEREFORE**, the Respondent, Reynolds Service Co., Inc., respectfully requests a Review of the Administrative Citation filed by the Complainant, Illinois Environmental Protection Agency, and further requests that the Administrative Citation be dismissed.

Respectfully submitted,  
Reynolds Service Co., Inc.

Date: 3/19/14



Allen W. James, Attorney for Respondent  
Illinois Registration #6239218

Prepared by:

Law Office of Allen W. James  
137 W. Vienna St., Suite 1A  
Anna, IL 62906  
618-833-5678

**ILLINOIS POLLUTION CONTROL BOARD**

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**ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,** )  
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 **Complainant,** )  
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 **v.** )  
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 **GERALD CAIN and** )  
 **REYNOLDS SERVICE CO., INC.** )  
 )  
 **Respondents.** )

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MAR 24 2014

STATE OF ILLINOIS  
Pollution Control Board

**IEPA No. 41-14-AC**

**AFFIDAVIT**

STATE OF ILLINOIS        }  
                                      } SS  
COUNTY OF UNION        }


I, TERRY REYNOLDS, after having been duly sworn upon my oath state as follows:

1. I am the President of Reynolds Service Co., Inc. (Corporation)
2. I have retained the services of the Law Office of Allen W. James with Allen W. James to represent the Corporation
3. That the Corporation does not own real property or have any interest in the property described in the Administrative Citation as "89.92 Acres, Twp. 12S, RNG 2W, SEC 18, Part of SE SW SW NW NW SW".
4. That the Corporation does not have any business interests, conduct business, have any sort of operation, or act as an operator at the property described in Paragraph 3 above.
5. That the Corporation does not now nor has it ever operated or been in the business of operating an open dumpsite.

6. That it is on information and belief that the subject site described in Paragraph 3 contains the home and business of an individual named, Edward Jones.

Further Affiant sayeth not.

Dated this 19th day of March, 2014.

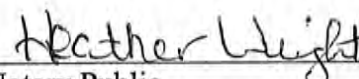
  
Terry Reynolds

STATE OF ILLINOIS        }  
  }  
  } SS  
COUNTY OF UNION        }

**Terry Reynolds**, of lawful age, being duly sworn upon his oath, states that he is the Affiant named above and that the facts stated herein are true and correct according to his best information and belief and that this instrument was signed freely, voluntarily and without coercion or duress.

Subscribed and sworn to before me this 19th day of March, 2014.



  
Notary Public

ILLINOIS POLLUTION CONTROL BOARD

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IEPA No. 41-14-AC

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the PETITION FOR REVIEW, NOTICE OF FILING, NOTICE OF APPEARANCE, and AFFIDAVIT were served upon all parties or attorneys of record by depositing same at the United States Post Office in Anna, Illinois, properly addressed as shown below, with sufficient postage prepaid, before 6 p.m.:


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

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

On this 19 day of MARCH, 2014.

[Handwritten signature of Allen W. James]
Allen W. James
Illinois Registration # 6239218

Prepared by:
Law Office of Allen W. James
137 W. Vienna St., Suite 1A
Anna, IL 62906
618-833-5678

*Law Office of Allen W. James*  ORIGINAL

137 W. Vienna St., Suite 1A  
Anna, IL 62906  
(618) 833-5678  
Fax: (618) 833-5661

March 19, 2014

John Therriault, Clerk  
Illinois Pollution Control Board  
James R. Thompson Center  
100 West Randolph St., Suite 11-500  
Chicago, IL 60601

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MAR 24 2014  
STATE OF ILLINOIS  
Pollution Control Board

RE: Illinois Environmental Protection Agency v. Gerald Cain and Reynolds Service Co., Inc.;  
IEPA File No. 41-14-AC; 1818645005-Union County

Dear Mr. Therriault:

Enclosed are an original and a copy each of a Notice of Filing, Petition for Review, Affidavit, Entry of Appearance, and Certificate of Service in the above referenced case on behalf of Reynolds Service Co., Inc. I do not know if it is normal to request the return of a file stamped copy, but I am asking that you file stamp the copies enclosed and return them to my office in the enclosed self addressed stamped envelope. I have sent copies of each of the documents to Michelle M. Ryan of the Division of Legal Counsel for the Illinois Environmental Protection Agency.

Thank you for your assistance.

Sincerely,

  
Allen W. James

cc  
Illinois Environmental Protection Agency

enclosures