

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD


PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 20-16
)	(Enforcement – Land)
)	
IRONHUSTLER EXCAVATING, INC., an)	
Illinois corporation, RIVER CITY)	
CONSTRUCTION, LLC, an Illinois limited)	
liability company, and VENOVIKH)	
CONSTRUCTION CO., an Illinois corporation,)	
)	
Respondents.)	

NOTICE OF FILING

To: See attached Certificate of Service.

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board an Entry of Appearance and the Answer to Complaint of Respondent IronHustler Excavating, Inc., an Illinois corporation, a copy of which is herewith served upon you.

IRONHUSTLER EXCAVATING, INC.
An Illinois corporation, Respondent

By: 
One of Its Attorneys

Jay H. Scholl, ARDC # 6297558
DAVIS & CAMPBELL L.L.C.
401 Main Street, Suite 1600
Peoria, IL 61602
Tel: (309) 673-1681
Fax: (309) 673-1690
jhscholl@dcamplaw.com
00243133.DOCX

CERTIFICATE OF SERVICE

I, the undersigned, certify that I have served on November 20, 2019, the attached Notice of Filing upon the following persons by email:

Raymond J. Callery
Office of the Attorney General
500 South Second Street
Springfield, IL 62701
rcallery@atg.state.il.us
Assistant Attorney General

Carol Webb
Illinois Pollution Control Board
1021 North Grand Avenue East
P.O. Box 19274
Springfield, IL 62794-9274
Carol.Webb@illinois.gov
Hearing Officer

Kenneth Eathington
Quinn, Johnston, Henderson
Pretorius & Cerulo
227 N.E. Jefferson Street
Peoria, IL 61602
keathington@quinnjohnston.com
*Attorney for River City
Construction, LLC*

Furthermore, I, the undersigned, certify that I have served on November 20, 2019, the attached Notice of Filing upon the following persons by depositing the document in a U.S. Postal Service mailbox by the time of 5:00 P.M., with proper postage or delivery charges prepaid:

Venovich Construction Company
c/o Joseph L. Venovich, Jr., Registered Agent
207 South Sampton Street
P.O. Box 410
Tremont, IL 61568



Jay H. Scholl, ARDC # 6297558
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ENTRY OF APPEARANCE

Jay H. Scholl of the law firm Davis & Campbell L.L.C. hereby enters his appearance as the lead attorney in this matter for Respondent IronHustler Excavating, Inc., an Illinois corporation.

Davis & Campbell L.L.C.

By: 
Jay H. Scholl

Jay H. Scholl, ARDC # 6297558
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ANSWER TO COMPLAINT

NOW COMES the Respondent, IRONHUSTLER EXCAVATING, INC., an Illinois corporation (“IronHustler”), by its attorney Jay H. Scholl of Davis & Campbell L.L.C., and Answers the Complaint as follows:

COUNT I
OPEN DUMPING OF WASTE

1. This Count is brought by the Attorney General 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 (2018), against Respondents IRONHUSTLER EXCAVATING, INC., RIVER CITY CONSTRUCTION, LLC, and VENOVICH CONSTRUCTION CO.

ANSWER: This Paragraph states a legal conclusion for which no answer is required. To the extent this Paragraph states factual allegations for which an answer is required, those allegations are admitted.

2. The Illinois EPA is an agency of the State of Illinois created by the Illinois General Assembly under Section 4 of the Act, 415 ILCS 5/4 (2018), and charged, *inter alia*, with the duty of enforcing the Act in proceedings before the Illinois Pollution Control Board.

ANSWER: This Paragraph states a legal conclusion for which no answer is required. To the extent this Paragraph states factual allegations for which an answer is required, those allegations are admitted.

3. The Illinois Pollution Control Board (“Board”) is an independent board created by the General Assembly in Section 5 of the Act, 415 ILCS 5/5 (2018), and charged, *inter alia*, with the duty of determining standards and adopting regulations.

ANSWER: This Paragraph states a legal conclusion for which no answer is required. To the extent this Paragraph states factual allegations for which an answer is required, those allegations are admitted.

4. This Count is brought after providing Respondents, Ironhustler Excavating, Inc., River City Construction, LLC and Venovich Construction Co., with notice and the opportunity for a meeting with the Illinois EPA, pursuant to Section 31 of the Act, 415 ILCS 5/31 (2018).

ANSWER: IronHustler admits that it was provided with notice and the opportunity for a meeting with the Illinois EPA but lacks sufficient information to admit or deny the remaining allegations of this Paragraph.

5. Respondent, Ironhustler Excavating, Inc. (“Ironhustler”), is an Illinois corporation engaged in the business of providing construction and demolition services.

ANSWER: IronHustler admits that it is in the business of providing excavation and demolition services. IronHustler denies the remaining allegations of this Paragraph.

6. Respondent, River City Construction, LLC (“River City”), is an Illinois limited liability company engaged in the business of acting as a general contractor for construction and demolition projects.

ANSWER: On information and belief, IronHustler admits the allegations of this Paragraph.

7. Respondent, Venovich Construction Co. (“Venovich”), is an Illinois corporation also engaged in the business of acting as a general contractor for construction and demolition projects.

ANSWER: IronHustler lacks sufficient information to admit or deny the allegations of this Paragraph.

8. Venovich is the owner of certain property located at the end of King Road and along the Mackinaw River, in Hopedale Township, Tazewell County, Illinois (“Disposal Site”).

ANSWER: IronHustler lacks sufficient information to admit or deny the allegations of this Paragraph.

9. On a date better known to Respondents, the Delavan Community Unit School District No. 703 contracted with River City for the construction of a new high school wing which included the demolition, removal and disposal of a portion of the existing building located at 817 S. Locust Street, Delavan, Tazewell County, Illinois (“Source Site”).

ANSWER: On information and belief, IronHustler admits the allegations of this Paragraph.

10. On a date better known to Respondents, River City subcontracted the demolition, removal, and disposal work to Ironhustler.

ANSWER: IronHustler admits the allegations of this Paragraph.

11. As general contractor, River City was responsible for controlling and supervising the contract work and was responsible for the acts or omissions of its subcontractors.

ANSWER: This Paragraph states a legal conclusion for which no answer is required. To the extent this Paragraph states factual allegations for which an answer is required, IronHustler lacks sufficient information to admit or deny the allegations of this Paragraph.

12. Joseph L. Venovich, Jr. is the president and principal agent of Venovich Construction.

ANSWER: IronHustler lacks sufficient information to admit or deny the allegations of this Paragraph.

13. Joseph Venovich requested that Ironhustler haul “clean” concrete to the Disposal Site from the Delavan School demolition project for erosion control. Venovich Construction has an Illinois Department of Natural Resources (“Illinois DNR”) permit to address stream bank erosion at the Disposal Site.

ANSWER: IronHustler lacks sufficient information to admit or deny the allegations of this Paragraph.

14. Joseph Venovich had previously accepted clean concrete from an earlier Ironhustler demolition project.

ANSWER: IronHustler lacks sufficient information to admit or deny the allegations of this Paragraph.

15. On July 13, 2017, the Illinois EPA inspected the Disposal Site. Approximately 750 cubic yards of open dumped demolition debris was located at the end of King Road along the Mackinaw River. Some of the demolition debris was located in water along the edge of the river.

ANSWER: IronHustler lacks sufficient information to admit or deny the allegations of this Paragraph.

16. The demolition debris contained electrical wire, metal radiators, wood, rebar, wire conduit, metal sheeting, metal angle iron, painted brick, plywood, metal studs, metal pipe, painted concrete, slag, and ceramic tile. A John Deere 650H dozer with Ironhustler markings was located at the Disposal Site.

ANSWER: IronHustler lacks sufficient information to admit or deny the allegations of this Paragraph.

17. After being contacted by Illinois EPA, Joseph Venovich arrived at the Disposal Site sometime after 5:00 p.m. on July 13, 2017.

ANSWER: IronHustler lacks sufficient information to admit or deny the allegations of this Paragraph.

18. Upon observing that general construction demolition debris had been open dumped at the Disposal Site by Ironhustler, Joseph Venovich contacted Ironhustler and demanded that the open dumped demolition debris be removed from the Disposal Site.

ANSWER: IronHustler admits that it was contacted by Joseph Venovich but denies that he “demanded that the open dumped demolition debris be removed from the Disposal Site.” IronHustler lacks sufficient information to admit or deny the remaining allegations of this Paragraph.

19. On July 13, 2017, the Illinois EPA also inspected the Source Site in Delavan, Illinois. Demolition debris was present along with a Caterpillar 329D tracked excavator and a Caterpillar 330DL tracked excavator both with Ironhustler markings.

ANSWER: IronHustler lacks sufficient information to admit or deny the allegations of this Paragraph.

20. On November 16, 2017, the Illinois EPA re-inspected the Disposal Site. The open dumped demolition debris had been removed. Copies of disposal receipts were submitted to Illinois EPA by Ironhustler documenting the disposal of 567.32 tons of demolition debris at the Indian Creek Landfill on July 17, 2017.

ANSWER: IronHustler admits that it had removed debris from the Disposal Site prior to November 16, 2017, and provided the Illinois EPA receipts documenting the disposal of debris at the Indian Creek Landfill on July 17, 2017. IronHustler lacks sufficient information to admit or deny the remaining allegations of this Paragraph.

21. Respondents never applied for or were granted a permit from Illinois EPA to develop and operate a landfill at the Disposal Site.

ANSWER: IronHustler admits that it never applied for or was granted a permit from Illinois EPA to develop and operate a landfill at the Disposal Site. IronHustler lacks sufficient information to admit or deny the remaining allegations of this Paragraph.

22. Sections 3.185, 3.305, 3.385 and 3.535 of the Act, 415 ILCS 5/3.185, 3.305, 3.385 and 3.535 (2018), respectively, provide the following definitions: .

“Disposal” means the discharge, deposit, injection, dumping, spilling, leaking or placing of any waste or hazardous waste into or on any land or water or into any well so that such waste or hazardous waste or any constituent thereof may enter the environment or be emitted into the air or discharged into any waters, including ground waters.

“Open dumping” means the consolidation of refuse from one or more sources at a disposal site that does not fulfill the requirements of a sanitary landfill.

“Refuse” means waste.

“Waste” means any garbage, sludge from a waste treatment plant, water supply treatment plant, or air pollution control facility or other discarded material, including solid, liquid, semi-solid, or contained gaseous material resulting from industrial, commercial, mining and agricultural operations, and from community activities...

ANSWER: This Paragraph states a legal conclusion for which no answer is required. The statute cited by this Paragraph speaks for itself. To the extent this Paragraph is inconsistent with the statute cited, the allegations of this Paragraph are denied.

23. Section 3(a) of the Litter Control Act, 415 ILCS 105/3(a) (2018), provides the following definition:

“Litter” means any discarded, used or unconsumed substance or waste. “Litter” may include, but is not limited to, any garbage, trash, refuse, cigarettes, debris, rubbish, grass clippings or other lawn or garden waste, newspaper, magazines, glass, metal, plastic or paper containers or other packaging construction material, abandoned vehicle (as defined in the Illinois Vehicle Code), motor vehicle parts, furniture, oil, carcass of a dead animal, any nauseous or offensive matter of any kind, any object likely to injure any person or create a traffic hazard, potentially infectious medical waste as defined in Section 3.360 of the Environmental Protection Act, or anything else of an unsightly or unsanitary nature, which has been discarded, abandoned or otherwise disposed of improperly.

ANSWER: This Paragraph states a legal conclusion for which no answer is required. The statute cited by this Paragraph speaks for itself. To the extent this Paragraph is inconsistent with the statute cited, the allegations of this Paragraph are denied.

24. Section 3.160(a) of the Act, 415 ILCS 5/3.160(a) (2018), provides, in pertinent part, the following definition:

(a) "General construction or demolition debris" means non-hazardous, uncontaminated materials resulting from the construction, remodeling, repair, and demolition of utilities, structures, and roads, limited to the following: bricks, concrete, and other masonry materials; soil; rock; wood, including non-hazardous painted, treated, and coated wood and wood products; wall coverings; plaster; drywall; plumbing fixtures; non-asbestos insulation; roofing shingles and other roof coverings; reclaimed or other asphalt pavement; glass; plastics that are not sealed in a manner that conceals waste; electrical wiring and components containing no hazardous substances; and corrugated cardboard, piping or metals incidental to any of those materials.

* * *

ANSWER: This Paragraph states a legal conclusion for which no answer is required. The statute cited by this Paragraph speaks for itself. To the extent this Paragraph is inconsistent with the statute cited, the allegations of this Paragraph are denied.

25. Section 21 of the Act, 415 ILCS 5/21 (2018), provides, in pertinent part, as follows:

No person shall:

(a) Cause or allow the open dumping of any waste.

* * *

(d) Conduct any waste-storage, waste-treatment, or waste-disposal operation:

1. Without a permit granted by the Agency or in violation of any conditions imposed by such permit ... ;
2. In violation of any regulations or standards adopted by the Board under this Act; or

* * *

- (e) Dispose, treat, store or abandon any waste, or transport any waste into this State for disposal, treatment, storage or abandonment, except at a site or facility which meets the requirements of this Act and of regulations and standards thereunder.

* * *

- (p) In violation of subdivision (a) of this Section, cause or allow the open dumping of any waste in a manner which results in any of the following occurrences at the dump site:

- (1) litter;

* * *

- (4) deposition of waste in standing or flowing waters;

* * *

- (7) deposition of:

- (i) general construction or demolition debris as defined in Section 3.160(a) of this Act;

* * *

ANSWER: This Paragraph states a legal conclusion for which no answer is required. The statute cited by this Paragraph speaks for itself. To the extent this Paragraph is inconsistent with the statute cited, the allegations of this Paragraph are denied.

26. Respondents caused or allowed general construction or demolition debris and/or other wastes to be hauled from the Source Site and open dumped at the Disposal Site.

ANSWER: Whether the material constitutes “general construction or demolition debris and/or other wastes” and whether that material was “open dumped” are legal conclusions for which no answer is required. IronHustler lacks sufficient information to admit or deny the remaining allegations of this Paragraph.

27. By causing or allowing the open dumping of waste at the Disposal Site, Respondents violated Section 2l(a) of the Act, 415 ILCS 5/2l(a) (2018).

ANSWER: This Paragraph states a legal conclusion for which no answer is required. To the extent this Paragraph states factual allegations for which an answer is required, those allegations are denied.

WHEREFORE, Ironhustler respectfully requests that the Board enter an order in its favor and against Complainant denying the relief requested in the Complaint.

COUNT II

OPEN DUMPING RESULTING IN LITTER

1-26. Complainant realleges and incorporates herein by reference paragraphs 1 through 26 of Count I as paragraphs I through 26 of this Count II.

ANSWER: IronHustler realleges and incorporates herein by reference its Answers to Paragraphs 1 through 26 of Count I as its Answers to Paragraphs 1 through 26 of this Count II.

27. By causing or allowing the open dumping of waste in such a manner that resulted in litter at the Disposal Site, Respondents violated Section 21 (p)(1) of the Act, 415 ILCS 5/21 (p)(1) (2018).

ANSWER: This Paragraph states a legal conclusion for which no answer is required. To the extent this Paragraph states factual allegations for which an answer is required, those allegations are denied.

WHEREFORE, Ironhustler respectfully requests that the Board enter an order in its favor and against Complainant denying the relief requested in the Complaint.

COUNT III

**OPEN DUMPING RESULTING IN WASTE
IN STANDING OR FLOWING WATER**

1-26. Complainant realleges and incorporates herein by reference paragraphs 1 through 26 of Count I as paragraphs 1 through 26 of this Count III.

ANSWER: IronHustler realleges and incorporates herein by reference its Answers to Paragraphs 1 through 26 of Count I as its Answers to Paragraphs 1 through 26 of this Count III.

27. By causing or allowing the open dumping of waste in such-a manner that waste was disposed of in standing or flowing waters at the Disposal Site, Respondents violated Section 21(p)(4) of the Act, 415 ILCS 5/21(p)(4) (2018).

ANSWER: This Paragraph states a legal conclusion for which no answer is required. To the extent this Paragraph states factual allegations for which an answer is required, those allegations are denied.

WHEREFORE, Ironhustler respectfully requests that the Board enter an order in its favor and against Complainant denying the relief requested in the Complaint.

COUNT IV
OPEN DUMPING OF DEMOLITION DEBRIS

1-26. Complainant realleges and incorporates herein by reference paragraphs 1 through 26 of Count I as paragraphs I through 26 of this Count IV.

ANSWER: IronHustler realleges and incorporates herein by reference its Answers to Paragraphs 1 through 26 of Count I as its Answers to Paragraphs 1 through 26 of this Count IV.

27. By causing or allowing the open dumping of waste in such a manner that general construction or demolition debris was disposed of at the Disposal Site, Respondents violated Section 21(p)(7)(i) of the Act, 415 ILCS 5/21(p)(7)(1) (2018).

ANSWER: This Paragraph states a legal conclusion for which no answer is required. To the extent this Paragraph states factual allegations for which an answer is required, those allegations are denied.

WHEREFORE, Ironhustler respectfully requests that the Board enter an order in its favor and against Complainant denying the relief requested in the Complaint.

COUNT V
DEVELOPING AND OPERATING A LANDFILL WITHOUT A PERMIT

1-26. Complainant realleges and incorporates herein by reference paragraphs 1 through 26 of Count I as paragraphs 1 through 26 of this Count V.

ANSWER: IronHustler realleges and incorporates herein by reference its Answers to Paragraphs 1 through 26 of Count I as its Answers to Paragraphs 1 through 26 of this Count V.

27. Section 810.103 of the Board's Solid Waste Disposal Regulations, 35 Ill. Adm.

Code 810.103, provides the following definitions:

* * *

“Facility” means a site and all equipment and fixtures on a site used to treat, store or dispose of solid or special wastes. A facility consists of an entire solid or special waste treatment, storage, or disposal operation

* * *

“Landfill” means a unit or part of a facility in or on which waste is placed and accumulated over time for disposal, and which is not a land application unit, a surface impoundment or an underground injection well. For the purposes of this Part and 35 Ill. Adm. Code 811 through 815, landfills include waste piles, as defined in this Section.

* * *

“Solid Waste” means a waste that is defined in this Section as an inert waste, as a putrescible waste, as a chemical waste or as a special waste, and which is not also defined as a hazardous waste pursuant to 35 Ill. Adm. Code 721.

* * *

ANSWER: This Paragraph states a legal conclusion for which no answer is required. The statute cited by this Paragraph speaks for itself. To the extent this Paragraph is inconsistent with the statute cited, the allegations of this Paragraph are denied.

28. Section 812.I0J(a) of the Board's Solid Waste Disposal Regulations, 35 Ill. Adm.

Code 812.10l(a), provides, in pertinent part, as follows:

All persons, except those specifically exempted by Section 21(d) of the Act, shall submit to the Agency an application for a permit to develop and operate a landfill ...

* * *

ANSWER: This Paragraph states a legal conclusion for which no answer is required. The statute cited by this Paragraph speaks for itself. To the extent this Paragraph is inconsistent with the statute cited, the allegations of this Paragraph are denied.

29. By developing and operating a landfill at the Disposal Site without applying for a permit from Illinois EPA, Respondents violated Section 812.101(a) of the Board's regulations, 35 Ill. Adm. Code 812.101(a).

ANSWER: This Paragraph states a legal conclusion for which no answer is required. To the extent this Paragraph states factual allegations for which an answer is required, those allegations are denied.

30. Respondents developed and operated a landfill at the Disposal Site without a permit granted by Illinois EPA, in violation of Section 21(d)(1) of the Act, 415 ILCS 5/21(d)(1) (2018).

ANSWER: This Paragraph states a legal conclusion for which no answer is required. To the extent this Paragraph states factual allegations for which an answer is required, those allegations are denied.

WHEREFORE, Ironhustler respectfully requests that the Board enter an order in its favor and against Complainant denying the relief requested in the Complaint.

COUNT VI
DEVELOPING AND OPERATING A LANDFILL
IN VIOLATION OF BOARD REGULATION

1-26. Complainant realleges and incorporates herein by reference paragraphs 1 through 26 of Count I as paragraphs 1 through 26 of this Count VI.

ANSWER: IronHustler realleges and incorporates herein by reference its Answers to Paragraphs 1 through 26 of Count I as its Answers to Paragraphs 1 through 26 of this Count VI.

27-29. Complainant realleges and incorporates herein by reference paragraphs 27 through 29 of Count V as paragraphs 27 through 29 of this Count VI.

ANSWER: IronHustler realleges and incorporates herein by reference its Answers to Paragraphs 27 through 29 of Count V as its Answers to Paragraphs 27 through 29 of this Count VI.

30. By violating Section 812.101(a) of the Board's Solid Waste Disposal Regulations, 35 Ill. Adm. Code 812.101(a), Respondents conducted a waste-disposal operation at the Disposal Site in violation of a regulation adopted by the Board, and thereby violated Section 21 (d)(2) of the Act, 415 ILCS 5/21(d)(2) (2018).

ANSWER: This Paragraph states a legal conclusion for which no answer is required. To the extent this Paragraph states factual allegations for which an answer is required, those allegations are denied.

WHEREFORE, Ironhustler respectfully requests that the Board enter an order in its favor and against Complainant denying the relief requested in the Complaint.

COUNT VII
WASTE DISPOSAL AT AN IMPROPER SITE

1-26. Complainant realleges and incorporates herein by reference paragraphs 1 through 26 of Count I as paragraphs 1 through 26 of this Count VII.

ANSWER: IronHustler realleges and incorporates herein by reference its Answers to Paragraphs 1 through 26 of Count I as its Answers to Paragraphs 1 through 26 of this Count VII.

27-29. Complainant realleges and incorporates herein by reference paragraphs 27 through 29 of Count V as paragraphs 27 through 29 of this Count VII.

ANSWER: IronHustler realleges and incorporates herein by reference its Answers to Paragraphs 27 through 29 of Count V as its Answers to Paragraphs 27 through 29 of this Count VI.

30. The Disposal Site is not a site or facility that meets the requirements of the Act and of the regulations and standards promulgated thereunder.

ANSWER: This Paragraph states a legal conclusion for which no answer is required. To the extent this Paragraph states factual allegations for which an answer is required, those allegations are denied.

31. Respondents disposed of, stored and/or abandoned wastes at the Disposal Site, a site which does not meet the requirements of the Act and regulations, in violation of Section 21(e) of the Act, 415 ILCS 5/21(e) (2018).

ANSWER: This Paragraph states a legal conclusion for which no answer is required. To the extent this Paragraph states factual allegations for which an answer is required, those allegations are denied.

WHEREFORE, Ironhustler respectfully requests that the Board enter an order in its favor and against Complainant denying the relief requested in the Complaint.

AFR FIRMATIVE DEFENSE

(ALL COUNTS)

1. Management of IronHustler had arranged for materials to be taken from the Source Site to a lawful disposal facility, namely the Tazewell County Landfill (also known as the Hopedale Landfill and the Indian Creek Landfill).

2. On information and belief, materials from the Source Site were, in fact, taken from the Source Site to the Tazewell County Landfill on June 28, 2017, June 29, 2017, June 30, 2017, July 5, 2017, July 7, 2017, July 11, 2017, July 14, 2017, and July 17, 2017.

3. On information and belief, the alleged diversion of materials from the previously-arranged lawful disposal facility to the Disposal Site occurred on July 7, 2017.

4. Management of IronHustler was not aware that materials were being taken from the Source Site to the Disposal Site until it received notice that the Illinois EPA had conducted an investigation at the Disposal Site on or around July 13, 2017.

5. Upon learning of the alleged violations, IronHustler took immediate remedial action, including but not limited to prohibiting any future materials from being diverted to the Disposal Site and directing that any materials alleged to have been diverted to the Disposal Site be removed and delivered to the Tazewell County Landfill.

6. By July 17, 2017, the materials from the Source Site alleged to have been diverted to the Disposal Site were removed and delivered to the Tazewell County Landfill.

7. Accordingly, within four days after the purported inspection by the Illinois EPA, IronHustler had ceased all alleged open dumping of waste and removed all materials alleged to have been improperly disposed at the Disposal Site.

8. Within weeks, the Disposal Site was returned to the same or better environmental condition as before any alleged diversion of materials from the previously-arranged lawful disposal facility to the Disposal Site.

9. There is no resulting long-term impact on the environment resulting from any alleged diversion of materials from the previously-arranged lawful disposal facility to the Disposal Site.

10. IronHustler received no economic advantage or benefit as a result of any alleged diversion of materials from the previously-arranged lawful disposal facility to the Disposal Site.

11. The employees of IronHustler who were involved in any alleged diversion of materials from the previously-arranged lawful disposal facility to the Disposal Site are no longer employed by IronHustler.

12. IronHustler has implemented policies to ensure that materials are not diverted from previously-arranged lawful disposal facilities.

13. IronHustler offered to enter into a compliance commitment agreement with the Illinois EPA, but the Illinois EPA refused that request.

14. Imposition of a civil fine would in no way aid the enforcement of the Act.

WHEREFORE, IronHustler respectfully requests that the Board enter an order in its favor and against Complainant denying the relief requested in the Complaint.

IRONHUSTLER EXCAVATING, INC.
An Illinois corporation, Respondent

By: 

One of Its Attorneys

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Tremont, IL 61568



Jay H. Scholl, ARDC # 6297558
DAVIS & CAMPBELL L.L.C.
401 Main Street, Suite 1600
Peoria, IL 61602
Tel: (309) 673-1681
Fax: (309) 673-1690
jhscholl@dcamplaw.com