

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS SEP 08 2003
COUNTY DEPARTMENT, CIVIL DIVISION

STATE OF ILLINOIS
Pollution Control Board

PEOPLE OF THE STATE OF ILLINOIS }
 }
 Complainant, }
 }
 v. }
 }
 4832 S. VINCENNES, L.P., an Illinois Limited }
 Partnership and BATTEAST CONSTRUCTION }
 COMPANY, an Illinois Corporation, }
 }
 Respondents. }

No. 04-07
(Enforcement-Air)

ANSWER

NOW COMES, Respondent, 4832 S. VINCENNES, L.P., by and through its attorneys, MILLER & FERGUSON and answers Complainant's Complaint as follows:

1. Respondent admits the allegations of Paragraph One.
2. Respondent admits the allegations of Paragraph Two.
3. Respondent admits the allegations of Paragraph Three.
4. Respondent admits the allegations of Paragraph Four.
5. Respondent admits the allegations of Paragraph Five.
6. Respondent neither admits nor denies the allegations of Paragraph Six, but demands strict proof thereof.
7. Respondent admits the allegations of Paragraph Seven.
8. Respondent denies the allegations of Paragraph Eight.
9. Respondent neither admits nor denies the allegations of Paragraph Nine, but demands strict proof thereof.
10. Respondent neither admits nor denies the allegations of Paragraph Ten, but demands strict proof thereof.
11. Respondent neither admits nor denies the allegations of Paragraph Eleven, but demands strict proof thereof.
12. Respondent denies the allegations of Paragraph Twelve.
13. Respondent neither admits nor denies the allegations of Paragraph Thirteen, but demands strict proof thereof.

14. Respondent neither admits nor denies the allegations of Paragraph Fourteen, but demands strict proof thereof.

15. Respondent admits the allegations of Paragraph Fifteen.

16. Respondent admits the allegations of Paragraph Sixteen.

17. Respondent admits the allegations of Paragraph Seventeen.

18. The referenced statute speaks for itself.

19. The referenced statute speaks for itself.

20. The referenced statute speaks for itself.

21. The referenced statute speaks for itself.

22. The referenced statute speaks for itself.

23. Respondent admits the allegations of Paragraph Twenty-Three.

24. Respondent admits the allegations of Paragraph Twenty-Four.

25. Respondent denies the allegations of Paragraph Twenty-Five.

26. Respondent denies the allegations of Paragraph Twenty-Six.

27. Respondent neither admits nor denies the allegations of Paragraph Twenty-Seven, but demands strict proof thereof.

28. Respondent denies the allegations of Paragraph Twenty-Eight.

WHEREFORE, the Respondent, 4832 S. Vincennes, L.P., respectfully requests that the Board deny the relief sought by Complainant.

COUNT II
FAILURE TO INSPECT AND TO FOLLOW
PROPER EMISSION CONTROL PROCEDURES

1-22. Respondent restates and incorporates herein by reference Paragraphs 1 through 17 and 20 through 24 of Count I as Paragraphs 1 through 22 of this Count II.

23. The referenced statute speaks for itself.

24. The referenced statute speaks for itself.

25. The referenced statute speaks for itself.

26. The referenced statute speaks for itself.

27. The referenced statute speaks for itself.
28. The referenced statute speaks for itself.
29. The referenced statute speaks for itself.
30. Respondent neither admits nor denies the allegations of Paragraph Thirty, but demands strict proof thereof.
31. Respondent admits the allegations of Paragraph Thirty-One.
32. Respondent neither admits nor denies the allegations of Paragraph Thirty-Two, but demands strict proof thereof.
33. The referenced statute speaks for itself.
34. The referenced statute speaks for itself.
35. The referenced statute speaks for itself.
36. Respondent denies the allegations of Paragraph Thirty-Six.
37. Respondent denies the allegations of Paragraph Thirty-Seven.
38. Respondent denies the allegations of Paragraph Thirty-Eight.
39. Respondent denies the allegations of Paragraph Thirty-Nine.

WHEREFORE, Respondent, 4832 S. Vincennes, L.P., by its attorneys respectfully requests that the Board denies the relief sought by Complainant.

Respectfully submitted,

Miller & Ferguson

By: _____

Miller & Ferguson, #91662
9415 South State Street
Chicago, Illinois 60619
(773) 660-4300

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SEP 08 2003

STATE OF ILLINOIS
Pollution Control Board

Verification

I, _____ being first duly sworn on oath, deposes and states pursuant to 735 ILCS 5/1-109 that he is the above and foregoing Respondent and certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.

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