BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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FEB 2 6 2004

STATE OF ILLINOIS
Pollution Control Board

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)	AC 04-31
)	(IEPA No. 747-03-AC)
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NOTICE OF FILING

To: Equipping the Saints Ministry, International, Inc.

Billie Landers, Registered Agent

5000 Dickey John Road Auburn, Illinois 62615

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 following instrument(s) entitled MOTION FOR DEFAULT JUDGMENT.

Respectfully submitted,

Michelle M. Ryan

Special Assistant Attorney General

Illinois Environmental Protection Agency 1021 North Grand Avenue East P.O. Box 19276 Springfield, Illinois 62794-9276 (217) 782-5544

Dated: February 18, 2004

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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

FEB 2 6 2004

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,)	STATE OF ILLINOIS Pollution Control Board
Complainant,)	AC 04-31
v.)	(IEPA No. 747-03-AC)
EQUIPPING THE SAINTS MINISTRY, INTERNATIONAL, INC.,)	
,)	
Respondent.)	

MOTION FOR DEFAULT JUDGMENT

NOW COMES the Complainant, the Illinois Environmental Protection Agency ("Illinois EPA"), by and through its attorney, Michelle M. Ryan, pursuant to 35 Ill. Adm. Code 101.500, and respectfully states as follows:

- (1) On December 18, 2003, Illinois EPA issued an Administrative Citation ("AC") to Respondent, Equipping the Saints Ministry International, Inc., an Illinois corporation, based on an inspection conducted on November 18, 2003.
- (2) On January 9, 2004, service was made on Respondent's registered agent, Billie Lauder, by hand delivery.
- (3) Pursuant to 415 ILCS 5/31.1(d) and 35 III. Adm. Code 108.204(b), a petition for review was required to be filed in this matter by February 13, 2004.
- (4) According to the Illinois Pollution Control Board's ("Board") website, the document filed on February 13, 2004 with the Board does not contain reasons why Respondent believes the AC was improperly issued, as is required for a petition for review by 35 Ill. Adm. Code 108.206.

(5) Furthermore, pursuant to 35 Ill. Adm. Code 101.400(a)(2), a person other than an individual must appear through an attorney-at-law. See also People v. Patrick Robert Land Trust,

PCB No. 01-135 (September 19, 2002), p. 4. As a corporation, the Respondent is not an individual

and is required to appear through an attorney.

(6) According to the ARDC website (www.iardc.org), Ray Landers, the signatory on the

document filed with the Board on February 13, 2004, is not licensed to practice law in Illinois.

(7) For the foregoing reasons, Respondent has not timely filed a petition for review, and

pursuant to 415 ILCS 5/31.1(d)(1), a final order against Respondent including the finding of

violations as alleged in the AC and the penalty specified in 415 ILCS 5/42(b) is required.

WHEREFORE, the Illinois EPA requests that the Board issue a final order against

Respondent, including a finding of violations as alleged in the AC and the penalty requested therein.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,

Complainant

DATED: February 18, 2004

Michelle M. Ryan

Special Assistant Attorney General

Illinois Environmental Protection Agency

1021 North Grand Avenue East

P.O. Box 19276

Springfield, Illinois 62794-9276

(217) 782-5544

CERTIFICATION

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument entitled MOTION FOR DEFAULT JUDGMENT 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 she verily believes the same to be true.

Michelle M. Ryan

Special Assistant Attorney General

Illinois Environmental Protection Agency 1021 North Grand Avenue East P.O. Box 19276 Springfield, Illinois 62794-9276 (217) 782-5544

Dated: February 18, 2004

PROOF OF SERVICE

I hereby certify that I did on the 18th day of February, 2004 send by U.S. mail, postage prepaid, a true and correct copy of the following instrument(s) entitled MOTION FOR DEFAULT JUDGMENT

To: Equipping the Saints Ministry, International, Inc.
Billie Landers, Registered Agent
5000 Dickey John Road
Auburn, Illinois 62615

and the original and nine (9) true and correct copies of the same foregoing instruments on the same date by U.S. Mail with postage thereon fully prepaid

To: Dorothy Gunn, Clerk
Pollution Control Board
James R. Thompson Center
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

Michelle M. Ryan

Special Assistant Attorney General

Illinois Environmental Protection Agency 1021 North Grand Avenue East P.O. Box 19276 Springfield, Illinois 62794-9276 (217) 782-5544