

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY,

Complainant,

v.

NORTHERN ILLINOIS  
SERVICE COMPANY,

Respondent.

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)  
) EPA No. 567-04-AC  
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)  
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)  
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CLERK'S OFFICE

FEB 07 2005

STATE OF ILLINOIS  
Pollution Control Board

ACOS 40

APPEARANCE

I hereby file my appearance in this proceeding, on behalf of NORTHERN ILLINOIS  
SERVICE COMPANY, Respondent.

NORTHERN ILLINOIS SERVICE COMPANY,  
Respondent,

By Peter DeBruyne, P.C.


By   
Peter DeBruyne, Its Attorney

Peter DeBruyne  
Peter DeBruyne, P.C.  
838 North Main Street  
Rockford, IL 61103  
Telephone (815) 964-3810

## **CERTIFICATE OF SERVICE**

I hereby certify that I did on the 4th day of February, 2005 by regular mail, with postage thereon fully prepaid, by depositing in a United States Post Office Box a true and correct copy of the foregoing Appearance on the following:

Illinois Environmental Protection Agency  
Division of Legal Counsel  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, IL 62794-9276

  
\_\_\_\_\_  
Peter DeBruyne

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STATE OF ILLINOIS  
Pollution Control Board

AC05-40

**NOTICE OF FILING**

TO: Illinois Environmental Protection Agency  
Division of Legal Counsel  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, IL 62794-9276

PLEASE TAKE NOTICE that I have filed with the Office of the Clerk of the Pollution Control Board the Petition for Review of NORTHERN ILLINOIS SERVICE COMPANY, Respondent herein, a copy of which is herewith served upon you.

NORTHERN ILLINOIS SERVICE COMPANY,  
Respondent,

By Peter DeBruyne, P.C.

By 

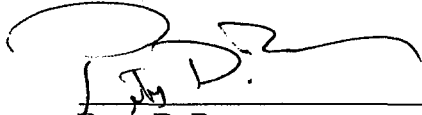
Peter DeBruyne, Its Attorney

Peter DeBruyne  
Peter DeBruyne, P.C.  
838 North Main Street  
Rockford, IL 61103  
Telephone (815) 964-3810

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Division of Legal Counsel  
1021 North Grand Avenue East  
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Springfield, IL 62794-9276

A handwritten signature in black ink, appearing to read 'P. DeBruyne', is written over a horizontal line.

Peter DeBruyne

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Pollution Control Board

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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
 ) EPA No. 567-04-AC  
Complainant, )  
 )  
v. )  
 )  
NORTHERN ILLINOIS )  
SERVICE COMPANY, )  
 )  
Respondent. )

**PETITION FOR REVIEW**

NORTHERN ILLINOIS SERVICE COMPANY, Respondent, herein, by its attorney, Peter DeBruyne, P.C., hereby Petition for Review of the Administrative Citation for the following reasons:

1. Respondent contests violation (1) "that Respondent caused or allowed the open dumping of waste in a manner resulting in litter, a violation of Section 21(p)(1) of the Act, 415 ILCS 5/21(p)(1) (2002)" because the material referred to in part of the Kaare Jacobsen report is trees which is not "litter." "Litter" refers to material of little or no value and trees which are cut properly do have value. The examples of litter set forth in the Litter Control Act do not mention trees as an example of litter in this Act and should provide guidance to the Board.

2. Wherefore, Respondent, by its attorney, Peter DeBruyne, P.C. respectfully pray that violation (1) be dismissed with prejudice.

NORTHERN ILLINOIS SERVICE COMPANY,  
Respondent,

By Peter DeBruyne, P.C.

By

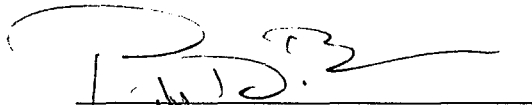
  
Peter DeBruyne, Its Attorney

Peter DeBruyne  
Peter DeBruyne, P.C.  
838 North Main Street  
Rockford, IL 61103  
Telephone (815) 964-3810

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\_\_\_\_\_  
Peter DeBruyne