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AUG 23 2004

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

STATE OF ILLINOIS
Pollution Control Board

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,) AC 05-08
)
v.) (IEPA No. 330-04-AC)
)
TED HARRISON AND GERALD S. GILL)
)
Respondents.)

RESPONDENT TED HARRISON'S PETITION FOR REVIEW

NOW COMES Respondent, TED HARRISON, by and through his undersigned attorney, and hereby files his Petition for Review of the Administrative Citation issued by the Illinois Environmental Protection Agency (IEPA) herein. For his Petition for Review, Respondent Ted Harrison states as follows:

PETITION FOR REVIEW

1. The IEPA alleges that Ted Harrison is a Respondent as the former owner and operator of the facility located east of Garner Road in the southeast quarter section of Section 35, T. 18 N, R 10 W, in Sangamon Valley Township, Cass County, Illinois. The IEPA alleges that it "commonly knows" the property as "Virginia/Ted Harrison Oil."
2. The IEPA alleges that the named Respondents "have owned and/or operated said facility at all times pertinent hereto."
3. The IEPA alleges that the Administrative Citation is based upon direct observations of David C. Jansen made on May 26, 2004.

4. The IEPA alleges that the named Respondents have “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).”

5. The IEPA alleges that the named Respondents have “caused or allowed the open dumping of waste in a manner resulting in deposition of general construction or demolition debris or clean construction or demolition debris. a violation of Section 21(p)(7) of the Act, 415 ILCS 5/21 (p)(7) (2002).”

6. Respondent Ted Harrison contests the aforementioned allegations, and specifically denies the allegations summarized in paragraphs one through five above.

WHEREFORE Respondent, TED HARRISON, requests that this Board strike and dismiss the Administrative Citation issued against him, and award to him such other and further relief as this Board deems just and proper.

Respectfully submitted,

TED HARRISON,
Respondent,

By his attorney,

HEDINGER LAW OFFICE

By


Stephen F. Hedinger

HEDINGER LAW OFFICE
2601 S. Fifth St.
Springfield, IL 62703
(217) 523-2753 phone
(217) 523-4366 fax

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NOTICE OF FILING AND PROOF OF SERVICE

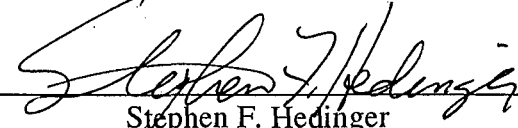
The undersigned certifies that an original and nine copies of Respondent Ted Harrison's Petition for Review was served upon the Clerk of the Illinois Pollution Control Board, and one copy was served upon the following parties of record in this cause by enclosing same in envelopes addressed to:

Dorothy Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph St., Suite 11-500
Chicago, IL 60601

Gerald S. Gill
100 Redbud Road, P.O. Box 200
Virginia, IL 62691

Michelle M. Ryan
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 N. Grand Ave. East
P.O. Box 19276
Springfield, IL 62794-9276

with postage fully prepaid, and by depositing said envelopes in a U.S. Post Office Mail Box in Springfield, Illinois on the 19th day of August, 2004.


Stephen F. Hedinger

HEDINGER LAW OFFICE
2601 South Fifth Street
Springfield, IL 62703
(217) 523-2753 phone
(217) 523-4366 fax

This Pleading is being submitted on recycled paper.