

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
ADMINISTRATIVE CITATION

RECEIVED
CLERK'S OFFICE

SEP 29 2003

STATE OF ILLINOIS
Pollution Control Board

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,) AC 04 08
)
vs.) (IEPA No. 392-03-AC)
)
ROGER RAY,)
)
Respondent.)

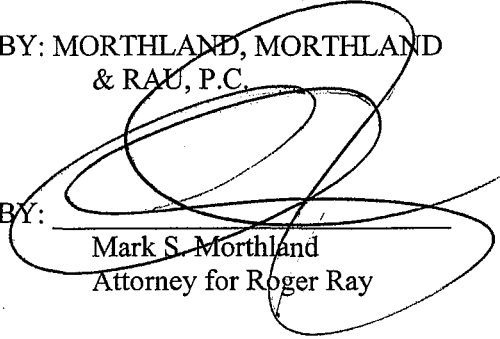
NOTICE OF FILING

TO: Clerk of the Illinois
Pollution Control Board
State of Illinois Center
100 West Randolph, Suite 11-500
Chicago, IL 60601

The Illinois Environmental
Protection Agency
Division of Legal Counsel
1021 North Grant Ave., East
P.O. Box 19276
Springfield, IL 62794

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 entitled Petition for
Review, as well as a Certificate of Service and Notice of Appearance.

BY: MORTHLAND, MORTHLAND
& RAU, P.C.

BY: 
Mark S. Morthland
Attorney for Roger Ray

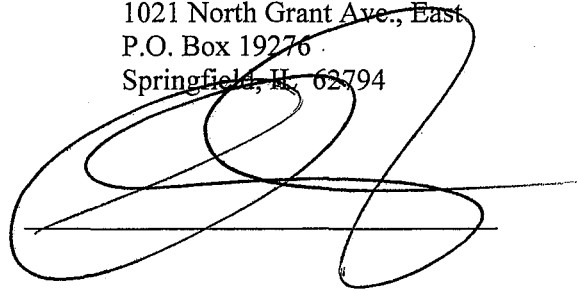
Mark S. Morthland
Attorney at Law
227 S. Water Street
Decatur, IL 62523
(217) 429-2800

PROOF OF SERVICE

I hereby certify that on the ¹⁴25 day of September 2003, I sent by United States Post Office, postage fully prepaid, a copy of the Petition for Review and Notice of Filing to:

TO: Clerk of the Illinois
Pollution Control Board
State of Illinois Center
100 West Randolph, Suite 11-500
Chicago, IL 60601

The Illinois Environmental
Protection Agency
Division of Legal Counsel
1021 North Grant Ave., East
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Springfield, IL 62794

A large, stylized handwritten signature in black ink, written over a horizontal line. The signature is highly cursive and loops around the line.

Mark S. Morthland
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Complainant,)

vs.)

ROGER RAY,)

Respondent.)

AC

04-08

(IEPA No. 392-03-AC)

STATE OF ILLINOIS
Pollution Control Board

PETITION FOR REVIEW

NOW COMES Roger Ray, Respondent, by and through his attorneys, MORTHLAND, MORTHLAND & RAU, P.C., and for his Petition for Review respectfully represents unto the Illinois Environmental Protection Agency Control Board as follows:

1. Your Respondent herein is the owner and operator of a facility located on the southeast side of the intersection between the railroad tracks and 750 East in Kirksville, Moultrie County, Illinois.
2. That the parcel of real estate described above, is to be used as a home for the Respondent herein, in that it is his intention to build a residence on the subject property.
3. That your Respondent herein was advised that if he desired to burn old brush, which he had cut down, that he needed to dig a hole and burn the brush in said hole.
4. That your Respondent did in fact dig a hole and had burned brush in said hole.
5. That, based upon information and belief, that other individuals began to throw items of waste in the hole and your Respondent only discovered that after he had received the Administrative Citation referred to above.
6. That when he received a copy of the Complaint filed herein, he saw the pictures and realized that there were items in his dump site, which he did not put into or throw into said hole.
7. That the Respondent's sole purpose in excavating said hole was to burn brush therein.
8. That your Respondent was not operating a waste disposal operation at said time, nor did he dump any of the waste found in the hole therein.

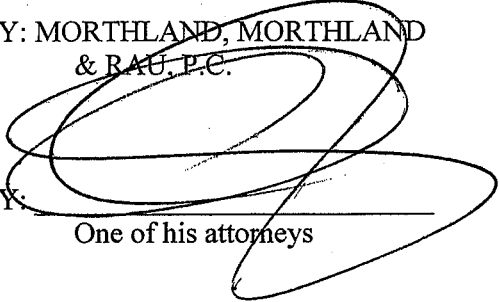
9. That at this time, your Respondent herein does not reside on the subject property, but lives in Sullivan, Moultrie County, Illinois.

10. That your Respondent herein purchased the subject property in the year 2002.

WHEREFORE, your Respondent respectfully prays that the Pollution Control Board will dismiss the Complaint filed herein and send the Complainant henceforth without its day.

Roger Ray,
Respondent

BY: MORTHLAND, MORTHLAND
& RAU, P.C.

BY: 
One of his attorneys

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Pollution Control Board

ILLINOIS ENVIRONMENTAL)
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Complainant,)
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vs.)
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ROGER RAY,)
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Respondent.)

AC 0408
(IEPA No. 392-03-AC)

NOTICE OF APPEARANCE

TO: Clerk of the Illinois
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100 West Randolph, Suite 11-500
Chicago, IL 60601

The Illinois Environmental
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1021 North Grant Ave., East
P.O. Box 19276
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PLEASE BE ADVISED that the undersigned, Mark S. Morthland, hereby enters the appearance of the law firm of MORTHLAND, MORTHLAND & RAU, P.C., on behalf of the Respondent herein, Roger Ray.

Roger Ray,
Respondent

BY: MORTHLAND, MORTHLAND
& RAU, P.C.

BY:

Mark S. Morthland
Attorney for Roger Ray

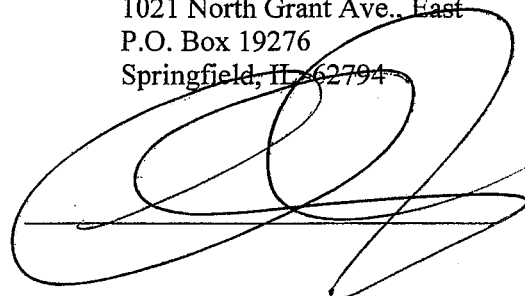
Mark S. Morthland
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PROOF OF SERVICE

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