

ILLINOIS POLLUTION CONTROL BOARD

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MAY 17 2004

STATE OF ILLINOIS
Pollution Control Board

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,)
)
v.)
MICHAEL MORETON,)
)
Respondent.)

AC 04-51
(IEPA No. 83-04-AC)
(Administrative Citation)

PETITION TO REVIEW

NOW COMES the Respondent, MICHAEL MORETON, pro se, and submits this Petition to Review and Contest the Administrative Citation filed against him in this subject cause, namely :

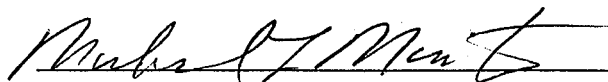
Violation (1) : That Respondent caused or allowed the open dumping of waste in a manner resulting in litter; and

Violation (2) : That Respondent 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, and contesting said violations, states as follows:

1. The Respondent hereby submits that he did not cause or allow the alleged violations, and/or;
2. The alleged violations were the result of uncontrollable circumstances, and/or;
3. The Respondent is a recycler of metals and other materials, with IBT #2450-2782.
4. The Respondent is also a registered "tire user."
5. Respondent purchased the subject property some ten (10) years ago from which to operate his business and to store salable or recyclable materials and equipment.
6. Some items listed by the IEPA proposed violations (and shown in the pictures) are not litter but rather recyclables.

Wherefore, Respondent denies that he has violated IEPA rules or regulations, and objects to the imposition of fines or other penalties upon him, and petitions the Illinois Pollution Control Board to review said citations.

Michael Moreton - Respondent

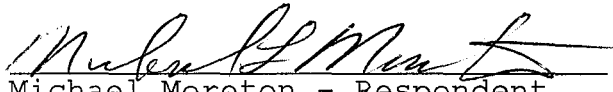


CERTIFICATE OF SERVICE

Respondent hereby certifies that on the 11th day of May, 2004, he did serve a copy of his Petition for Review upon the following persons or entities, as so addressed, by mailing same, postage prepaid, U.S. Mail, from Ashmore, Il.

Illinois Pollution Control Board
State of Illinois Center
100 West Randolph St - Suite 11-500
Chicago, IL 60601

Illinois Environmental Protection Agency
Dorothy Gunn, Clerk
Attn: Michelle M. Ryan
Division of Legal Counsel
1021 North Grand Ave. East
P.O. Box 19276
Springfield, IL 61794-9276


Michael Moreton - Respondent