

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS )  
ex rel. GARY W. PACK, )  
McHenry County State's Attorney, )  
 )  
Complainant, )  
vs. )  
MICHAEL STRINGINI, )  
 )  
Respondent. )

PCB 01-43  
(RCRA Enforcement)

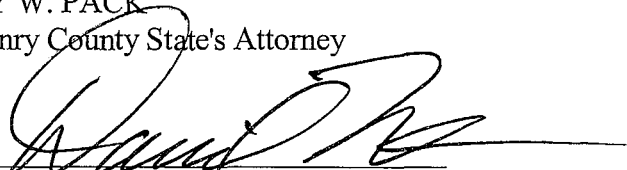
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CLERK'S OFFICE  
AUG 17 2004  
STATE OF ILLINOIS  
Pollution Control Board

REPLY TO JUNE 29<sup>TH</sup> RESPONSE OF RESPONDENT

Now comes the Complainant and in reply to the Response of Respondent apparently filed on July 1, 2004 (two days beyond date of extension), a copy of which was faxed to Complainant on July 19, 2004 and appears to have been faxed to the Board on June 29, 2004 (all in violation of procedural rules) the following is noted in reply:

1. To the extent that the Response attempts to introduce new evidence, Complainant respectfully requests the board to ignore such evidentiary statements about his current business activities because Complainant was not afforded the opportunity of cross examination. The hearing transcript speaks for itself.
2. The implication that the State's Attorney (Stone) has a conflict of interest is not responsive to the brief of Complainant or in summary of the evidence and could only be addressed by motion made prior to this point of the proceedings. Therefore, Complainant respectfully requests the Board to disregard those comments by respondent.

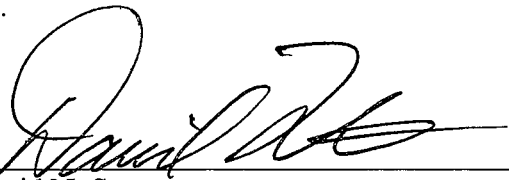
Respectfully submitted,  
GARY W. PACK  
McHenry County State's Attorney

By:   
David N. Stone  
Assistant State's Attorney

CERTIFICATE OF SERVICE

I, David N. Stone, an Assistant State's Attorney in this case, do certify that I caused to be mailed this 16<sup>TH</sup> day of August, 2004, the foregoing REPLY TO JUNE 29<sup>TH</sup> RESPONSE OF RESPONDENT upon the persons listed on the attached service list by certified mail in an

envelope bearing sufficient postage with the United States Postal Service located at 1050  
Country Club Road, Woodstock, Illinois 60098.

  
\_\_\_\_\_  
David N. Stone

## SERVICE LIST

Case No. PCB 01-43

<u>NAME:</u>	<u>INTEREST:</u>
POLLUTION CONTROL BOARD CLERK JAMES R THOMPSON CENTER STE 11-500 100 W RANDOLPH STREET CHICAGO IL 60601	ORIGINAL PLUS NINE COPIES
MR MICHAEL STRINGINI 1108 S WESTOVER LANE SCHAUMBURG IL 60193	Defendant
PAUL JAGIELLO ILLINOIS EPA 9511 WEST HARRISON ST DESPLAINES IL 60016	Non record Attorney for IEPA

DATE: August 16, 2004  
Gary W. Pack, McHenry County State's Attorney  
David N. Stone, Assistant State's Attorney  
McHenry County Government Center  
2200 N. Seminary Ave.  
Woodstock, IL. 60098  
815 334 4159