

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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AUG 09 2004

STATE OF ILLINOIS
Pollution Control Board

ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
))
Complainant,)
))
v.)
))
EDWARD and BETTY JO CAIN and)
EDWARD CAIN d/b/a CAIN ROOFING)
COMPANY,)
))
Respondents.)

AC 05-07
(IEPA No. 347-04-AC)

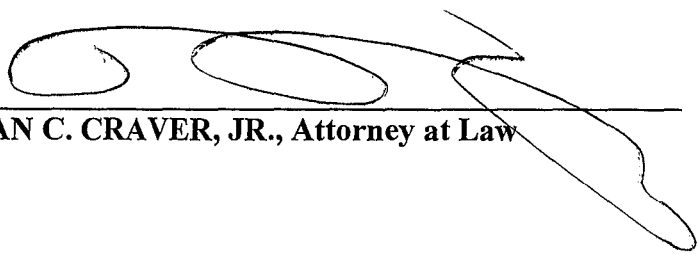
CERTIFICATE OF SERVICE

I certify that I caused a true and correct copy of the attached PETITION FOR REVIEW to be served upon the following named addressees by enclosing the same in an envelope plainly addressed to each of them with sufficient postage prepaid for first class mailing and depositing said envelope in a United States Post Office Box in Urbana, Illinois, at 5:30 o'clock p.m. on the 4th day of August, 2004.

The Honorable Dorothy Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

Illinois Environmental Protection Agency
ATTENTION: DIVISION OF LEGAL COUNSEL
1021 North Grand Avenue East
P. O. Box 19276
Springfield, Illinois 62794-9276

Dated this 4th day of August, 2004.



NOLAN C. CRAVER, JR., Attorney at Law

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Middleton, Craver & Keller
210 North Broadway
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COPY

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)	
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PETITION FOR REVIEW

NOW COME the respondents, EDWARD and BETTY JO CAIN and EDWARD CAIN d/b/a CAIN ROOFING COMPANY, by Middleton, Craver & Keller, their attorneys, and represent the following:

1. The alleged violations were not caused or allowed by the respondents or in the alternative the alleged violations were the result of uncontrollable circumstances.

2. In support of respondents contention that they did not cause or allow the violations or that said violations were the result of uncontrollable circumstances, the respondents submit the following facts:

a. Respondents have, for economic reasons for a number of years, found it necessary to employ numerous employees of Mexican descent without the ability to speak English fluently and this has caused misunderstandings to occur in the manner of disposal of debris among other things.

b. That said persons without the ability to speak English fluently are no longer employed by the respondents and the difficulties encountered previously concerning the proper manner in which to dispose of debris should no longer be a problem.

WHEREFORE, respondents respectfully pray that the Administrative Citations be withdrawn or they be found not guilty of violations alleged by virtue of the facts herein stated.

**EDWARD and BETTY JO CAIN and EDWARD CAIN
d/b/a CAIN ROOFING COMPANY, by Middleton,
Craver & Keller, their attorneys**

By



Nolan C. Craver, Jr., Attorney at Law

PREPARED BY:
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