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NOV 23 2004

STATE OF ILLINOIS  
Pollution Control Board

OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

Lisa Madigan  
ATTORNEY GENERAL

November 8, 2004

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

Re: ***People v. Michel Grain Company, Inc.***  
**PCB No. 96-143**

Dear Clerk Gunn:

Enclosed for filing please find the original and five copies of SUBPOENAS served on TOM FERRELL, TODD GENTLES, VAL GIBBONS, BILL DELAP, VERNON MAYBERRY, GENE DELAP, and VICTOR KNIGHT, in regard to the above-captioned matter. Please file the originals and return file-stamped copies of the documents to our office in the enclosed, self-addressed, stamped envelope.

Thank you for your cooperation and consideration.

Very truly yours,

A handwritten signature in cursive script that reads "Phillip McQuillan".

Phillip McQuillan  
Environmental Bureau  
500 South Second Street  
Springfield, Illinois 62706  
(217) 782-9031

PM/pp  
Enclosures

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CLERK'S OFFICE

NOV 23 2004

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

STATE OF ILLINOIS  
Pollution Control Board

PEOPLE OF THE STATE OF ILLINOIS, )

Complainant, )

vs. )

MICHEL GRAIN COMPANY, INC., a/k/a )

MICHEL FERTILIZER, an Illinois )

corporation, CARYLE MICHEL, and )

RONNIE TODD, )

Respondents. )

PCB 96-143  
(Enforcement-Water)

NOTICE OF FILING

To: Doug Antonik  
Antonik Law Offices  
411 Main Street  
Mt. Vernon, IL 62864

F. William Bonan  
Bonan and Bonan and Rowland  
P.O. Box 309  
McLeansboro, IL 62859

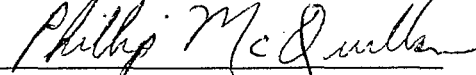
PLEASE TAKE NOTICE that on this date, I mailed for filing with the Clerk of the Pollution Control Board of the State of Illinois, SUBPOENAS served on TOM FERRELL, TODD GENTLES, VAL GIBBONS, BILL DELAP, VERNON MAYBERRY, GENE DELAP, and VICTOR KNIGHT, copies of which are attached hereto and herewith served upon you.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS

LISA MADIGAN  
Attorney General of the  
State of Illinois

MATTHEW J. DUNN, Chief  
Environmental Enforcement/Asbestos  
Litigation Division

BY:   
PHILLIP McQUILLAN  
Assistant Attorney General  
Environmental Bureau

500 South Second Street  
Springfield, Illinois 62706  
217/782-9031  
Dated: November 19, 2004

## CERTIFICATE OF SERVICE

I hereby certify that I did on November 19, 2004, send by First Class Mail, with postage thereon fully prepaid, by depositing in a United States Post Office Box true and correct copies of the following instruments entitled SUBPOENAS served on TOM FERRELL, TODD GENTLES, VAL GIBBONS, BILL DELAP, VERNON MAYBERRY, GENE DELAP, and VICTOR KNIGHT

To: Doug Antonik  
Antonik Law Offices  
411 Main Street  
Mt. Vernon, IL 62864

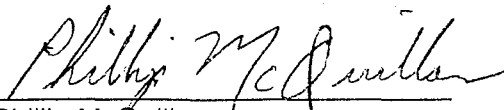
F. William Bonan  
Bonan and Bonan and Rowland  
P.O. Box 309  
McLeansboro, IL 62859

and the original and five copies by First Class Mail with postage thereon fully prepaid of the same foregoing instrument(s):

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

A copy was also sent by First Class Mail with postage thereon fully prepaid

To: Carol Webb  
Hearing Officer  
Pollution Control Board  
1021 North Grand Avenue East  
Springfield, Illinois 62702

  
Phillip McQuillan  
Assistant Attorney General

This filing is submitted on recycled paper.

Before the Illinois Pollution Control Board

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NOV 23 2004

STATE OF ILLINOIS  
Pollution Control Board

PEOPLE OF THE STATE OF ILLINOIS, )

\_\_\_\_\_ )

\_\_\_\_\_ )

Complainant/Petitioner, )

PCB 96-143

v. )

MICHEL GRAIN COMPANY, INC., d/b/a )

MICHEL FERTILIZER, an Ill. corp., )

CARYLE MICHEL, RONNIE TODD and )

RONNIE TODD LAND TRUST, )

\_\_\_\_\_ )

Respondent. )

SUBPOENA/SUBPOENA DUCES TECUM

TO: TOM FERRELL

Broughton Road

Eldorado, IL 62930

Pursuant to Section 5(e) of the Environmental Protection Act (415 ILCS 5/5(e)  
(2000)) and 35 Ill. Adm. Code 101.622, you are ordered to attend and give testimony at  
the hearing/deposition in the above-captioned matter at 11:00

A. m. on November 17 2004, at

The Law Office of Bonan and Bonan, 116 East Market Street,

McLeansboro, IL 62859

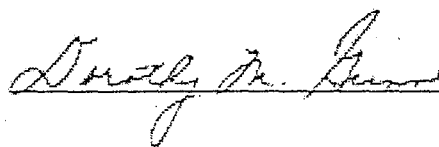
You are also ordered to bring with you documents relevant to the matter under

consideration and designated herein: any business records, accounting records, tax records, writings or tax returns related to or connected with Michel Grain Company, Inc., Michel Fertilizer; Carlyle Michel; or Michel Cotter Plant Foods, Inc., and the grain elevator and/or fertilizer/agricultural chemical facility located in Ina, Illinois, and the facility located in Broughton, Illinois, for the time period from 1986 to 1996.

Failure to comply with this subpoena will subject you to sanctions under 35 Ill.

Adm. Code 101.622(g), 101.800, and 101.802.

ENTER:



Dorothy M. Gunn, Clerk  
Pollution Control Board

Date: November 8, 2004

CERTIFICATE OF SERVICE

I, \_\_\_\_\_, certify that on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, I caused copies of the SUBPOENA/SUBPOENA DUCES TECUM to be served upon the following:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

by depositing same in United States First Class Mail, postage prepaid.

\_\_\_\_\_  
(Signature)

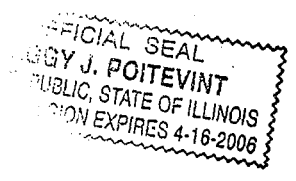
(Or, alternatively)

I, MICHAEL ANTHIS, served this SUBPOENA/SUBPOENA  
DUCES TECUM by hand delivering a copy to TOM FERRELL  
on 11-14-2004 2004, along with a check in the amount of  
\$24.00 for a witness fee.

Michael Anthis  
(Signature)

Subscribed and sworn to before me this 14th day of November  
2004.

Randy J. Poitevint  
Notary Public





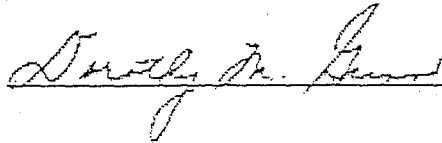
You are also ordered to bring with you documents relevant to the matter under

consideration and designated herein: any business records, accounting records, tax records, writings or tax returns related to or connected with Michel Grain Company, Inc., Michel Fertilizer; Carlyle Michel; or Michel Cotter Plant Foods, Inc., and the grain elevator and/or fertilizer/agricultural chemical facility located in Ina, Illinois, and the facility located in Broughton, Illinois, for the time period from 1986 to 1996.

Failure to comply with this subpoena will subject you to sanctions under 35 Ill.

Adm. Code 101.622(g), 101.800, and 101.802.

ENTER:



Dorothy M. Gunn, Clerk  
Pollution Control Board

Date: November 8, 2004

CERTIFICATE OF SERVICE

I, \_\_\_\_\_, certify that on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, I caused copies of the SUBPOENA/SUBPOENA DUCES TECUM to be served upon the following:

\_\_\_\_\_  
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\_\_\_\_\_

by depositing same in United States First Class Mail, postage prepaid.

\_\_\_\_\_  
(Signature)



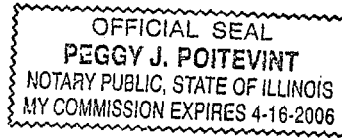
(Or, alternatively)

I, MICHAEL ANTHAS, served this SUBPOENA/SUBPOENA DUCES TECUM by hand delivering a copy to TOO GEMES on 11-15 2004, along with a check in the amount of \$20.00 for a witness fee.

Michael Anthas  
(Signature)

Subscribed and sworn to before me this 19th day of November 2004.

Peggy J. Poitevint  
Notary Public



Before the Illinois Pollution Control Board

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NOV 23 2004

STATE OF ILLINOIS  
Pollution Control Board

PEOPLE OF THE STATE OF ILLINOIS, )

\_\_\_\_\_ )

\_\_\_\_\_ )

Complainant/Petitioner, )

PCB 96-143

v. )

MICHEL GRAIN COMPANY, INC., d/b/a )

MICHEL FERTILIZER, an Ill. corp., )

CARYLE MICHEL, RONNIE TODD and )

RONNIE TODD LAND TRUST, )

\_\_\_\_\_ )

Respondent. )

SUBPOENA/SUBPOENA DUCES TECUM

TO: Val Gibbons

ARDL, Inc.

400 Aviation Road

Mt. Vernon, IL 62864

Pursuant to Section 5(e) of the Environmental Protection Act (415 ILCS 5/5(e)  
(2000)) and 35 Ill. Adm. Code 101.622, you are ordered to attend and give testimony at  
the hearing/deposition in the above-captioned matter at 10:00

A.      m. on November 22 2004 at

The Law Office of Bonan and Bonan, 116 East Market Street,

McLeansboro, IL 62859

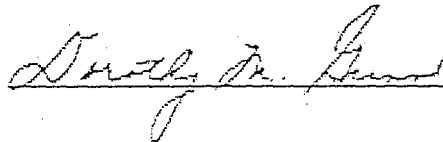
You are also ordered to bring with you documents relevant to the matter under

consideration and designated herein: any business records, accounting records, tax records, writings or tax returns related to or connected with Michel Grain Company, Inc., Michel Fertilizer; Carlyle Michel; or Michel Cotter Plant Foods, Inc., and the grain elevator and/or fertilizer/agricultural chemical facility located in Ina, Illinois; and the facility located in Broughton, Illinois, for the time period from 1986 to 1996.

Failure to comply with this subpoena will subject you to sanctions under 35 Ill.

Adm. Code 101.622(g), 101.800, and 101.802.

ENTER:



Dorothy M. Gunn, Clerk  
Pollution Control Board

Date: November 8, 2004

CERTIFICATE OF SERVICE

I, \_\_\_\_\_, certify that on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, I caused copies of the SUBPOENA/SUBPOENA DUCES TECUM to be served upon the following:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

by depositing same in United States First Class Mail, postage prepaid.

\_\_\_\_\_  
(Signature)

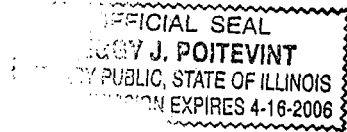
(Or, alternatively)

I, MICHAEL ANTLIS, served this SUBPOENA/SUBPOENA  
DUCES TECUM by hand delivering a copy to VAL GIBBONS  
on 11-15 2004, along with a check in the amount of  
\$20.00 for a witness fee.

Michael Antlis  
(Signature)

Subscribed and sworn to before me this 19th day of November  
2004.

Peggy J. Poitevint  
Notary Public



Before the Illinois Pollution Control Board

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STATE OF ILLINOIS  
Pollution Control Board

PEOPLE OF THE STATE OF ILLINOIS, )

\_\_\_\_\_ )

\_\_\_\_\_ )

Complainant/Petitioner, )

PCB 96-143

v. )

MICHEL GRAIN COMPANY, INC., d/b/a )

MICHEL FERTILIZER, an Ill. corp., )

CARYLE MICHEL, RONNIE TODD and )

RONNIE TODD LAND TRUST, )

\_\_\_\_\_ )

Respondent. )

SUBPOENA/SUBPOENA DUCES TECUM

TO: BILL DELAP

Route 1, Box 130

Broughton, IL 62817

Pursuant to Section 5(e) of the Environmental Protection Act (415 ILCS 5/5(e)  
(2000)) and 35 Ill. Adm. Code 101.622, you are ordered to attend and give testimony at

the hearing/deposition in the above-captioned matter at 1:00

P. m. on November 17 2004, at

The Law Office of Bonan and Bonan, 116 East Market Street,

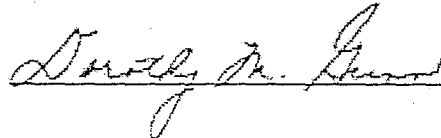
McLeansboro, IL 62859

You are also ordered to bring with you documents relevant to the matter under

consideration and designated herein: any business records, accounting records, tax records, writings or tax returns related to or connected with Michel Grain Company, Inc., Michel Fertilizer; Carlyle Michel; or Michel Cotter Plant Foods, Inc., and the grain elevator and/or fertilizer/agricultural chemical facility located in Ina, Illinois, and the facility located in Broughton, Illinois, for the time period from 1986 to 1996.

Failure to comply with this subpoena will subject you to sanctions under 35 Ill. Adm. Code 101.622(g), 101.800, and 101.802.

ENTER:



Dorothy M. Gunn, Clerk  
Pollution Control Board

Date: November 8, 2004

CERTIFICATE OF SERVICE

I, \_\_\_\_\_, certify that on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, I caused copies of the SUBPOENA/SUBPOENA DUCES TECUM to be served upon the following:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

by depositing same in United States First Class Mail, postage prepaid.

\_\_\_\_\_  
(Signature)

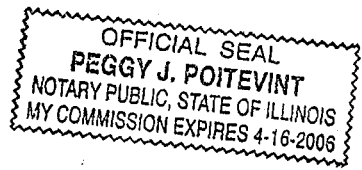
(Or, alternatively)

I, MICHAEL ANTHIS, served this SUBPOENA/SUBPOENA  
DUCES TECUM by hand delivering a copy to DAVID DELAP  
on 11-12 2004 along with a check in the  
amount of \$22.10 for a witness fee.

Michael Anthis  
R A/G (Signature)

Subscribed and sworn to before me this 19th day of November  
2004.

Peggy J. Poitevint  
Notary Public



Before the Illinois Pollution Control Board

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STATE OF ILLINOIS  
Pollution Control Board

PEOPLE OF THE STATE OF ILLINOIS, )

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Complainant/Petitioner, )

PCB 96-143

v. )

MICHEL GRAIN COMPANY, INC., d/b/a )

MICHEL FERTILIZER, an Ill. corp., )

CARYLE MICHEL, RONNIE TODD and )

RONNIE TODD LAND TRUST, )

\_\_\_\_\_ )

Respondent. )

SUBPOENA/SUBPOENA DUCES TECUM

TO: VERNON MAYBERRY  
R.R. 1, Box 114B  
Broughton, IL 62817-9760

Pursuant to Section 5(e) of the Environmental Protection Act (415 ILCS 5/5(e)  
(2000)) and 35 Ill. Adm. Code 101.622, you are ordered to attend and give testimony at  
the hearing/deposition in the above-captioned matter at 3:00

P. m. on November 17 2004, at  
The Law Office of Bonan and Bonan, 116 East Market Street,  
McLeansboro, IL 62859



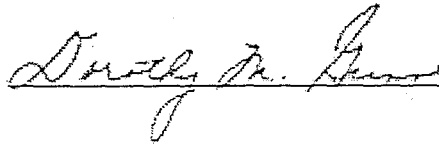
You are also ordered to bring with you documents relevant to the matter under

consideration and designated herein: any business records, accounting records, tax records, writings or tax returns related to or connected with Michel Grain Company, Inc., Michel Fertilizer; Carlyle Michel; or Michel Cotter Plant Foods, Inc., and the grain elevator and/or fertilizer/agricultural chemical facility located in Ina, Illinois, and the facility located in Broughton, Illinois, for the time period from 1986 to 1996.

Failure to comply with this subpoena will subject you to sanctions under 35 Ill.

Adm. Code 101.622(g), 101.800, and 101.802.

ENTER:



Dorothy M. Gunn, Clerk  
Pollution Control Board

Date: November 8, 2004

CERTIFICATE OF SERVICE

I, \_\_\_\_\_, certify that on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, I caused copies of the SUBPOENA/SUBPOENA DUCES TECUM to be served upon the following:

\_\_\_\_\_  
\_\_\_\_\_  
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by depositing same in United States First Class Mail, postage prepaid.

\_\_\_\_\_  
(Signature)

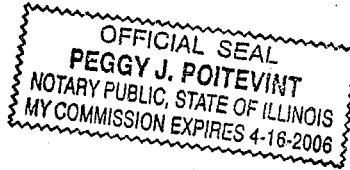
(Or, alternatively)

I, MICHAEL ANTHIS, served this SUBPOENA/SUBPOENA DUCES TECUM by hand delivering a copy to VERNON MAYBERRY on 11-12 2004, along with a check in the amount of \$22.10 for a witness fee.

Michael Anthis  
12/4/6 (Signature)

Subscribed and sworn to before me this 19th day of November 2004.

Peggy J. Poitevint  
Notary Public



Before the Illinois Pollution Control Board

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STATE OF ILLINOIS  
Pollution Control Board

PEOPLE OF THE STATE OF ILLINOIS, )

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Complainant/Petitioner, )

PCB 96-143

v. )

MICHEL GRAIN COMPANY, INC., d/b/a )

MICHEL FERTILIZER, an Ill. corp., )

CARYLE MICHEL, RONNIE TODD and )

RONNIE TODD LAND TRUST, )

\_\_\_\_\_ )

Respondent. )

SUBPOENA/SUBPOENA DUCES TECUM

TO: GENE DELAP  
Route 1, Box 233A  
\_\_\_\_\_  
Broughton, IL 62817  
\_\_\_\_\_

Pursuant to Section 5(e) of the Environmental Protection Act (415 ILCS 5/5(e)  
(2000)) and 35 Ill. Adm. Code 101.622, you are ordered to attend and give testimony at  
the hearing/deposition in the above-captioned matter at 2:00

P. m. on November 17 2004, at

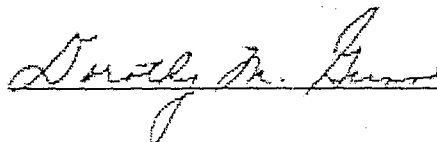
The Law Office of Bonan and Bonan, 116 East Market Street,  
McLeansboro, IL 62859  
\_\_\_\_\_  
\_\_\_\_\_

You are also ordered to bring with you documents relevant to the matter under

consideration and designated herein: any business records, accounting records, tax records, writings or tax returns related to or connected with Michel Grain Company, Inc., Michel Fertilizer, Carlyle Michel; or Michel Cotter Plant Foods, Inc., and the grain elevator and/or fertilizer/agricultural chemical facility located in Ina, Illinois, and the facility located in Broughton, Illinois, for the time period from 1986 to 1996.

Failure to comply with this subpoena will subject you to sanctions under 35 Ill. Adm. Code 101.622(g), 101.800, and 101.802.

ENTER:



Dorothy M. Gunn, Clerk  
Pollution Control Board

Date: November 8, 2004

CERTIFICATE OF SERVICE

I, \_\_\_\_\_, certify that on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, I caused copies of the SUBPOENA/SUBPOENA DUCES TECUM to be served upon the following:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

by depositing same in United States First Class Mail, postage prepaid.

\_\_\_\_\_  
(Signature)

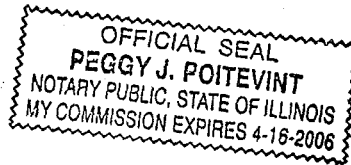
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on 11-12 2004 along with a check in the  
amount of \$22.10 for a witness fee.

Michael Anthis  
IL A/G (Signature)

Subscribed and sworn to before me this 19th day of November  
20 04.

Peggy J. Poitevint  
Notary Public



Before the Illinois Pollution Control Board

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MICHEL GRAIN COMPANY, INC., d/b/a )  
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CARYLE MICHEL, RONNIE TODD and )  
RONNIE TODD LAND TRUST, )

\_\_\_\_\_) )  
Respondent. )

SUBPOENA/SUBPOENA DUCES TECUM

TO: VICTOR KNIGHT  
Knight Trucking  
Route 5

McLeansboro, IL 62859

Pursuant to Section 5(e) of the Environmental Protection Act (415 ILCS 5/5(e)  
(2000)) and 35 Ill. Adm. Code 101.622, you are ordered to attend and give testimony at  
the hearing/deposition in the above-captioned matter at 4:00

P. m. on November 17 2004, at

The Law Office of Bonan and Bonan, 116 East Market Street,

McLeansboro, IL 62859

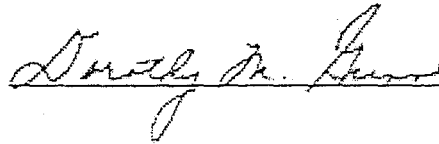
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Failure to comply with this subpoena will subject you to sanctions under 35 Ill.

Adm. Code 101.622(g), 101.800, and 101.802.

ENTER:



Dorothy M. Gunn, Clerk  
Pollution Control Board

Date: November 8, 2004

CERTIFICATE OF SERVICE

I, \_\_\_\_\_, certify that on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, I caused copies of the SUBPOENA/SUBPOENA DUCES TECUM to be served upon the following:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

by depositing same in United States First Class Mail, postage prepaid.

\_\_\_\_\_  
(Signature)

(Or, alternatively)

I, MICHAEL ANTHIS, served this SUBPOENA/SUBPOENA  
DUCES TECUM by hand delivering a copy to VICTOR KNIGHT  
on 11-12 20 04, along with a check in the amount of  
\$20.00 for a witness fee.

Michael Anthis  
D A/G (Signature)

Subscribed and sworn to before me this 19th day of November  
20 04.

Peggy J. Poitevint  
Notary Public

