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SEP 12 2005

STATE OF ILLINOIS
Pollution Control Board

OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

September 12, 2005

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

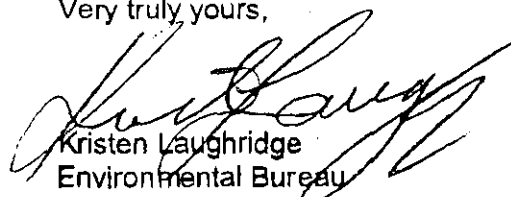
Re: ***People v. Leonard Foster, d/b/a Rivercrest Mobile Home Park***
PCB No. 06-04

Dear Clerk Gunn:

Enclosed for filing please find the original and ten copies of a NOTICE OF FILING and MOTION FOR RELIEF FROM HEARING REQUIREMENT in regard to the above-captioned matter. Please file the original and return a file-stamped copy of the documents to our office in the enclosed, self-addressed envelope.

Thank you for your cooperation and consideration.

Very truly yours,


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

KL/pp
Enclosures

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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD SEP 12 2005

STATE OF ILLINOIS
Pollution Control Board

PEOPLE OF THE STATE OF)
ILLINOIS,)

Complainant,)

vs.)

LEONARD FOSTER, d/b/a RIVERCREST)
MOBILE HOME PARK,)

Respondent.)

PCB No. 06-04
(Enforcement)

NOTICE OF FILING

To: Leonard Foster
d/b/a Rivercrest Mobile Home Park
6933 South Route 45-52
Chebanse, IL 60922

PLEASE TAKE NOTICE that on this date I mailed for filing with the Clerk of the Pollution Control Board of the State of Illinois a MOTION FOR RELIEF FROM HEARING REQUIREMENT, a copy of which is attached hereto and herewith served upon you.

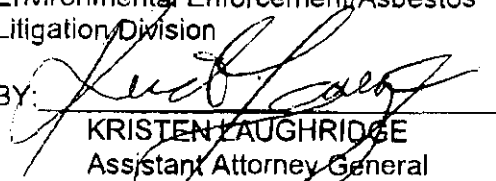
Respectfully submitted,

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:


KRISTEN LAUGHRIDGE
Assistant Attorney General
Environmental Bureau

500 South Second Street
Springfield, Illinois 62706
217/782-9031
Dated: September 12, 2005

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STATE OF ILLINOIS
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF
ILLINOIS,

Complainant,

vs.

LEONARD FOSTER, d/b/a RIVERCREST
MOBILE HOME PARK,

Respondent.

PCB No. 06-04
(Enforcement)

MOTION FOR RELIEF FROM HEARING REQUIREMENT

NOW COMES Complainant, PEOPLE OF THE STATE OF ILLINOIS, by LISA MADIGAN, Attorney General of the State of Illinois, and pursuant to Section 31(c)(2) of the Illinois Environmental Protection Act ("Act"), 415 ILCS 5/31(c)(2) (2004), moves that the Illinois Pollution Control Board grant the parties in the above-captioned matter relief from the hearing requirement imposed by Section 31(c)(1) of the Act, 415 ILCS 5/31(c)(1) (2004). In support of this motion, Complainant states as follows:

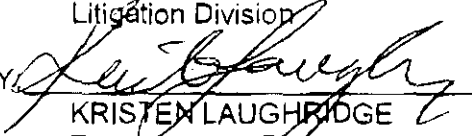
1. The parties have reached agreement on all outstanding issues in this matter.
2. This agreement is presented to the Board in a Stipulation and Proposal for Settlement, filed contemporaneously with this motion.
3. All parties agree that a hearing on the Stipulation and Proposal for Settlement is not necessary, and respectfully request relief from such a hearing as allowed by Section 31(c)(2) of the Act, 415 ILCS 5/31(c)(2) (2004).

WHEREFORE, Complainant, PEOPLE OF THE STATE OF ILLINOIS, hereby requests that the Board grant this motion for relief from the hearing requirement set forth in Section 31(c)(1) of the Act, 415 ILCS 5/31(c)(1) (2004).

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS
LISA MADIGAN
ATTORNEY GENERAL

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

BY: 
KRISTEN LAUGHRIDGE
Environmental Bureau
Assistant Attorney General

500 South Second Street
Springfield, Illinois 62706
217/782-9031
Dated: September 12, 2005

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STATE OF ILLINOIS
Pollution Control Board

CERTIFICATE OF SERVICE

I hereby certify that I did on September 12, 2005, send by First Class Mail, with postage thereon fully prepaid, by depositing in a United States Post Office Box a true and correct copy of the following instruments entitled NOTICE OF FILING and MOTION FOR RELIEF FROM HEARING REQUIREMENT

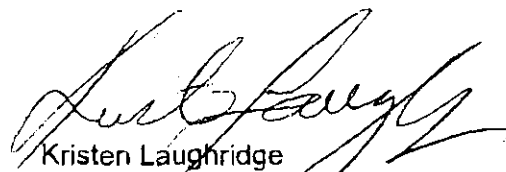
To: Leonard Foster
d/b/a Rivercrest Mobile Home Park
6933 South Route 45-52
Chebanse, IL 60922

and the original and ten 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
Illinois Pollution Control Board
1021 North Grand Avenue East
P.O. Box 19274
Springfield, IL 62794-9274


Kristen Laughridge
Assistant Attorney General

This filing is submitted on recycled paper.



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Pollution Control Board

OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

FAX TRANSMITTAL SHEET

ENVIRONMENTAL BUREAU - SPRINGFIELD
FAX NO. (217) 524-7740

DATE: 8/12/05
TO: Richard McMill
FAX NO.: 312 814 3669
FROM: Kristen Jauchridge
PHONE: 217 782-9031

NUMBER OF PAGES: 6 (INCLUDING THIS PAGE)

IF YOU DO NOT RECEIVE ANY OF THE PAGES PROPERLY, PLEASE CONTACT
SENDER. CALL BACK PERSON AS SOON AS POSSIBLE.

NOTICE: This is a fax transmission of attorney privileged and/or confidential information. It is intended only for the use of the individual or entity to which it is addressed. If you have received this communication in error, please notify the sender at the above telephone number and destroy this transmittal. If you are not the intended recipient, you are hereby notified that any retention or dissemination of this information is strictly prohibited. Thank you.

NOTES:

attached is the Request for Relief