

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)
by LISA MADIGAN, Attorney)
General of the State of Illinois,)
Complainant,)
v.) PCB No. 06-27
JOEL HILLMAN, individually,) (Enforcement- Air)
Respondent.)

NOTICE OF FILING

TO: STEPHEN J. SYLVESTER
Assistant Attorney General
Environmental Bureau North
188 West Randolph Street, 20th Floor
Chicago, IL 60601

PLEASE TAKE NOTICE that today, January 13, 2006 I have filed with the Office of the Clerk of the Illinois Pollution Control Board by Electronic Filing the following:

1. Response to Complaint,
2. Respondents Response to Motion to Deem Facts Admitted and For Summary Judgement

A copy of which is attached and hereby served on you.

Respectfully submitted,

JOEL HILLMAN, respondent

By: _____
Joel Hillman, pro se

Date: January 13, 2006

SERVICE LIST

Mr. Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
100 W. Randolph, Room 11-500
Chicago, IL 60601

CERTIFICATE OF SERVICE

I. JOEL HILLMAN, pro se in this case, do certify that I have caused to be served this 13th day of January, 2006, the following:

1. Response to Complaint
2. Respondents Response to Motion to Deem Facts Admitted and For Summary Judgment,

and Notice of Filing upon the persons listed on said Notice by depositing same in an envelope, by certified mail and by first class postage prepaid, with the United States Postal Service at Aventura, Florida, at or before the hour of 5:00pm, and by Electronic Filing with the Office of the Clerk of the Illinois Pollution Control Board.

Joel Hillman, pro se

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)
by LISA MADIGAN, Attorney)
General of the State of Illinois,)

Complainant,)

vi.) PCB No. 06-27

JOEL HILLMAN, individually,) (Enforcement- Air)
Respondent.)

RESPONDENTS RESPONSE TO COMPLAINT

Now comes the Respondent, JOEL HILLMAN, Individually, by JOEL HILLMAN, pro se, in response to Complaint, and says as follows:

Count I

AIR POLLUTION

1. Acknowledges that as noted in paragraph.
2. The Respondent has no knowledge of the authority as stated.
3. The Respondent agrees to the second part of said paragraph, and denies the first part of the paragraph.
4. The Respondent agrees
5. The Respondent denies the allegations of this paragraph
6. The Respondent does not maintain the knowledge to agree or deny this allegation.
7. The Respondent has no knowledge of these allegations.
8. The Respondent has no knowledge of this statement.
9. The Respondent has no knowledge of these allegations, and deny any statement pertaining to the Respondents directing any improper activities as noted.
10. The Respondent has no reason to take exception to the allegations of this paragraph, but has no direct knowledge of same.

11. The Respondent denies allegation as stated.

12 Thru 18 inclusive. The Respondent has no knowledge of the allegations contained in these paragraphs

19. The Respondent agrees that on or prior to July 17, 2004, contractors employed by Respondent did satisfactorily complete the remediation work demanded by the Illinois EPA.

20. thru paragraph 27

28. thru Paragraph 30..The Respondent denies the allegation contained in this paragraph.

Wherefore, Respondent, JOEL HILLMAN respectfully requests that the ILLINOIS POLLUTION CONTROL BOARD deny the request for an Order on Count I. against Respondent.

COUNT II

FAILURE TO FOLLOW PROPER NOTIFICATION REQUIREMENTS

1-22 Respondent acknowledges the statement contained in this paragraph

23-34 Respondent has no direct knowledge of the contents of these paragraphs

35. Respondent denies that he failed to provide notification, as he was not aware that any notification was necessary.

36. Respondent denies the allegations of this paragraph.

Wherefore, Respondent, JOEL HILLMAN respectfully requests that the ILLINOIS POLLUTION CONTROL BOARD deny the request for an Order on this Count II

COUNT III

FAILURE TO FOLLOW PROPER EMISSION CONTROL PROCEDURES

1-31 Respondent acknowledges the statement contained in this paragraph

32. Respondent has no direct knowledge of the contents of this paragraph

33-34. Respondent denies the allegations of this paragraph.

Wherefore, Respondent, JOEL HILLMAN respectfully requests that the ILLINOIS POLLUTION CONTROL BOARD deny the request for an Order on this Count III.

COUNT IV

**IMPROPER DISPOSAL OF REGULATED
ASBESTOS CONTAINING MATERIALS**

1-31. Respondent acknowledges the statement contained in this paragraph

32-35. Respondent has no direct knowledge of the contents of this paragraph.

36-37. Respondent denies any knowledge of the activities alleged in this paragraph.

Wherefore, Respondent, JOEL HILLMAN respectfully requests that the ILLINOIS POLLUTION CONTROL BOARD deny the request for an Order on this Count IV

Respectfully submitted,

JOEL HILLMAN, Individually,

By:

Joel Hillman, pro se

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)
by LISA MADIGAN, Attorney)
General of the State of Illinois,)
)
 Complainant,)
)
 vii.) PCB No. 06-27
)
JOEL HILLMAN, individually,) (Enforcement- Air)
)
 Respondent.)

**RESPONDENT RESPONSE TO MOTION TO DEEM FACTS ADMITTED AND FOR
SUMMARY JUDGEMENT**

Now comes the Respondent, JOEL HILLMAN, pro se, in response to the aforementioned MOTION, and offers the following response:

1. Respondent acknowledges that Respondent did not respond to the Complaint by the date indicated, nor was his response in accordance with the rules of the Board.
2. Respondent offers as the reason, the recent Hurricane Wilma, which through no fault of the Respondent, and unavoidable as an act of G-d, did in fact cause considerable damage to the community in which the Respondent resides, in Aventura Florida. Respondent, being very much involved in the efforts that were required by the catastrophic storm, was diverted from his responsibility to respond in a timely manner.
3. Respondent, by earlier letter dated November 30, 2005, addressed to the Hearing Officer, respectfully requested a short extension of two (2) weeks in which to respond to said Complaint.

For all of the reasons stated above, Respondent respectfully requests that the Complainant accepts Respondents RESPONSE TO COMPLAINT, which is enclosed herewith.

Respectfully submitted,

JOEL HILLMAN, Individually,

By: _____
Joel Hillman, pro se

Joel R. Hillman

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Quiogue, NY 11978
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November 30, 2005

Mr. Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
Chicago, IL 60601

**Re: PCB No. 06-27
People of the State of Illinois vs. Joel Hillman**

Dear Mr. Halloran:

I am in receipt of the **Motion To Deem Facts Admitted and For Summary Judgment** as received from your agency.

Understanding that I did in fact miss the date for the return response, I wish to obtain a short extension to submit my response, to the above noted Motion as well as to the Complaint. I hereby request an extension of two (2) weeks, or no later than December 14, 2005.

Unfortunately, our community here in Florida was severely damaged by Hurricane Wilma, which occurred in the last days of October. I am very much involved in the Community, and the time and effort that was required completely diverted my attention from this most important matter.

I humbly request your consideration, and agreement to so extend the time. I will try to follow your agencies policy in responding formally to the Motion, but wanted to precede with this memo.

Thank you for your consideration,

Very Truly Yours,

JRHillman, pro se

