

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS)
)
Complainant,)
)
vs.)
)
ROCK RIVER BLENDING COMPANY)
An Illinois corporation,)
)
Respondent.)

PCB No. 2010-109

RECEIVED
CLERK'S OFFICE
NOV 19 2010
STATE OF ILLINOIS
Pollution Control Board


APPEARANCE

I enter my appearance for Daniel McLorraine.

Respectfully submitted,

Rock River Blending Company, Respondent

ORIGINAL

By: 
James E. Meason

James E. Meason #4955
Attorney at Law
113 W. Main Street
Rockton, IL 61072-2416
(815) 624-6517

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PEOPLE OF THE STATE OF ILLINOIS)
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vs.)
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ROCK RIVER BLENDING COMPANY)
An Illinois corporation,)
)
Respondent.)

PCB No. 2010-109

ORIGINAL

ANSWER

Respondent, ROCK RIVER BLENDING COMPANY, by and through its attorney, James E. Meason, files this Answer, stating as follows:

COUNT I
OPEN DUMPING OF WASTE

Answer

1. Respondent admits the allegations in paragraph 1.
2. Respondent admits the allegations in paragraph 2.
3. Respondent admits the allegations in paragraph 3.
4. Respondent admits the allegations in paragraph 4.
5. Respondent admits the allegations in paragraph 5.
6. Respondent admits the allegations in paragraph 6.
7. Respondent admits the allegations in paragraph 7.
8. Respondent denies the allegations in paragraph 8 as they pertain to the specific materials used at Respondent's facility.
9. Respondent denies the allegations in paragraph 9 as they pertain to the specific materials used at Respondent's facility.
10. Respondent admits the allegations in paragraph 10.
11. Respondent admits the allegations in paragraph 11.
12. Respondent denies the allegations in paragraph 12. No migration occurred.

13. Respondent admits the allegations in paragraph 13.
14. Respondent has no information to either admit or deny the allegations in paragraph 14.
15. Respondent admits the allegations in paragraph 15.
16. Respondent admits the allegations in paragraph 16.
17. Respondent admits the allegations in paragraph 17.
18. Respondent admits the allegations in paragraph 18.
19. Respondent admits the allegations in paragraph 19.
20. Respondent admits the allegations in paragraph 20.
21. Respondent admits the allegations in paragraph 21.
22. Respondent admits the allegations in paragraph 22.
23. Respondent admits the allegations in paragraph 23.
24. Respondent admits the allegations in paragraph 24.
25. Respondent admits the allegations in paragraph 25.
26. Respondent admits the allegations in paragraph 26.
27. Respondent admits the allegations in paragraph 27.
28. Respondent admits the allegations in paragraph 28.
29. Respondent admits the allegations in paragraph 29.
30. Respondent admits the allegations in paragraph 30.

COUNT II
CONDUCTING A WASTE DISPOSAL OPERATION WITHOUT A PERMIT

- 1-27. Respondent incorporates by reference its prior responses.
28. Respondent admits the allegations in paragraph 28.
29. Respondent admits the allegations in paragraph 29.
30. Respondent admits the allegations in paragraph 37.

31. Respondent admits the allegations in paragraph 31.

**COUNT III
CONDUCTING A HAZARDOUS WASTE DISPOSAL
OPERATION WITHOUT A RCRA PERMIT**

1. Respondent admits the allegations in paragraph 1.

2-18. Respondent incorporates by reference its prior responses.

19. Respondent admits the allegations in paragraph 19.

20. Respondent denies the allegations in paragraph 20.

21. Respondent admits the allegations in paragraph 21.

22. Respondent admits the allegations in paragraph 22.

23. Respondent admits the allegations in paragraph 23.

24. Respondent admits the allegations in paragraph 24.

25. Respondent admits the allegations in paragraph 25.

26. Respondent admits the allegations in paragraph 26.

27. Respondent denies the allegations in paragraph 27.

28. Respondent admits the allegations in paragraph 28.

29. Respondent admits the allegations in paragraph 29.

30. Respondent admits the allegations in paragraph 30.

31. Respondent admits the allegations in paragraph 31.

32. Respondent denies the allegations in paragraph 32.

33. Respondent admits the allegations in paragraph 33.

34. Respondent denies the allegations in paragraph 34.

35. Respondent admits the allegations in paragraph 35.

36. Respondent admits the allegations in paragraph 36.

37. Respondent admits the allegations in paragraph 37.

38. Respondent admits the allegations in paragraph 38.

COUNT IV
FAILURE TO OBTAIN A USEPA IDENTIFICATION NUMBER

1-37. Respondent incorporates by reference its prior responses.

38. Respondent admits the allegations in paragraph 38.

39. Respondent admits the allegations in paragraph 39.

40. Respondent admits the allegations in paragraph 40.

COUNT V
FAILURE TO PERFORM A SPECIAL WASTE DETERMINATION

1. Respondent admits the allegations in paragraph 1.

2-29. Respondent incorporates by reference its prior responses.

30. Respondent admits the allegations in paragraph 30.

31. Respondent admits the allegations in paragraph 31.

32. Respondent admits the allegations in paragraph 32.

COUNT VI
FAILURE TO PERFORM A HAZARDOUS WASTE DETERMINATION

1-21. Respondent incorporates by reference its prior responses.

22. Respondent denies the allegations in paragraph 22.

23. Respondent admits the allegations in paragraph 23.

24. Respondent denies the allegations in paragraph 24.

25. Respondent denies the allegations in paragraph 25.

COUNT VII
IMPROPER DISPOSAL OF CORROSIVE LIQUID HAZARDOUS WASTE

1. Respondent admits the allegations in paragraph 1.

2-36. Respondent incorporates by reference its prior responses.

37. Respondent denies the allegations in paragraph 37.

38. Respondent denies the allegations in paragraph 38.
39. Respondent admits the allegations in paragraph 39.
40. Respondent admits the allegations in paragraph 40.
41. Respondent denies the allegations in paragraph 41.
42. Respondent admits the allegations in paragraph 42.
43. Respondent admits the allegations in paragraph 43.
44. Respondent denies the allegations in paragraph 44.
45. Respondent denies the allegations in paragraph 45.
46. Respondent denies the allegations in paragraph 46.

COUNT VIII
FAILURE TO COMPLY WITH WASTE DISPOSAL
REQUIREMENTS AND PROCEDURES

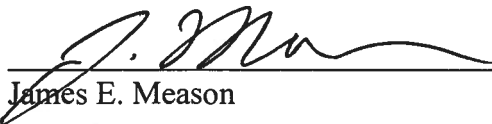
- 1-36. Respondent incorporates by reference its prior responses.
37. Respondent admits the allegations in paragraph 37.
38. Respondent admits the allegations in paragraph 38.
39. Respondent admits the allegations in paragraph 39.
40. Respondent admits the allegations in paragraph 40.
41. Respondent admits the allegations in paragraph 41.
42. Respondent admits the allegations in paragraph 42.
43. Respondent admits the allegations in paragraph 43.
44. Respondent admits the allegations in paragraph 44.
45. Respondent admits the allegations in paragraph 45.
46. Respondent admits the allegations in paragraph 46.
47. Respondent admits the allegations in paragraph 47.

48. Respondent admits the allegations in paragraph 48.
49. Respondent admits the allegations in paragraph 49.
50. Respondent admits the allegations in paragraph 50.
51. Respondent admits the allegations in paragraph 51.
52. Respondent admits the allegations in paragraph 52.
53. Respondent admits the allegations in paragraph 53.
54. Respondent admits the allegations in paragraph 54.
55. Respondent admits the allegations in paragraph 55.
56. Respondent admits the allegations in paragraph 56.
57. Respondent admits the allegations in paragraph 57.
58. Respondent admits the allegations in paragraph 58.
59. Respondent admits the allegations in paragraph 59.
60. Respondent admits the allegations in paragraph 60.
61. Respondent admits the allegations in paragraph 61.
62. Respondent admits the allegations in paragraph 62.
63. Respondent admits the allegations in paragraph 63.
64. Respondent admits the allegations in paragraph 64.
65. Respondent admits the allegations in paragraph 65.
66. Respondent admits the allegations in paragraph 66.
67. Respondent admits the allegations in paragraph 67.
68. Respondent admits the allegations in paragraph 68.
69. Respondent admits the allegations in paragraph 69.
70. Respondent admits the allegations in paragraph 70.
71. Respondent denies the allegations in paragraph 71.

- 72. Respondent admits the allegations in paragraph 72.
- 73. Respondent denies the allegations in paragraph 73.
- 74. Respondent denies the allegations in paragraph 74.
- 75. Respondent admits the allegations in paragraph 75.
- 76. Respondent admits the allegations in paragraph 76.
- 77. Respondent admits the allegations in paragraph 77.
- 78. Respondent admits the allegations in paragraph 78.
- 79. Respondent admits the allegations in paragraph 79.
- 80. Respondent admits the allegations in paragraph 80.
- 81. Respondent admits the allegations in paragraph 81.
- 82. Respondent admits the allegations in paragraph 82.
- 83. Respondent admits the allegations in paragraph 83.
- 84. Respondent denies the allegations in paragraph 84.

Respectfully submitted,

Rock River Blending Company, Respondent

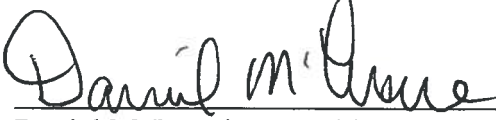
By: 
James E. Meason

James E. Meason #4955
Attorney at Law
113 W. Main Street
Rockton, IL 61072-2416
(815) 624-6517

VERIFICATION

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that she verily believes the same to be true.

Rock River Blending Company


By: 
Daniel McLorraine, President

CERTIFICATE OF SERVICE

Pursuant to Supreme Court Rule 12, I certify that on November 17, 2010, I sent via regular mail from Rockton, Illinois, at 3:00 p.m. the enclosed documents to the following persons:

Christopher Grant
Assistant Attorney General
Environmental Bureau
69 W. Washington St., 18th Flr.
Chicago, Illinois 60602

Rock River Blending Company

By: 
James E. Meason
Respondent's Attorney

State of Illinois)
)
Winnebago County) SS

The undersigned, a notary public in and for the above county and state, certifies that Daniel McLorraine, known to me to be the same person whose name is subscribed as Respondent, appeared before me in person and acknowledged signing and delivering the instrument as a free and voluntary act for the uses and purposes therein set forth.

Dated: Nov. 12, 2010

Judith L. Heil
Judith L. Heil
Notary Public



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Jim
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Pollution Control Board

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Rock River Blending, Respondent

By:



James E. Meason

Respondent's Attorney