

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
)
PROPOSED AMENDMENTS TO)
TIERED APPROACH TO CORRECTIVE)
ACTION OBJECTIVES)
(35 Ill. Adm. Code 742))
)

R09-9
(Rulemaking-Land)

RECEIVED
CLERK'S OFFICE
APR 13 2009
STATE OF ILLINOIS
Pollution Control Board

NOTICE

Dorothy Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph, Suite 11-500
Chicago, Illinois 60601
(Via First Class Mail)

Bill Richardson
Chief Legal Counsel
Illinois Dept. of Natural Resources
One Natural Resources Way
Springfield, Illinois 62702-1271
(Via First Class Mail)

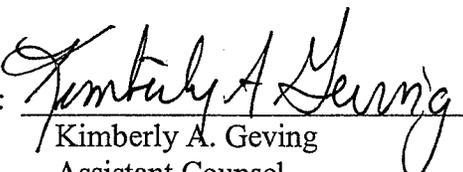
Matt Dunn
Environmental Bureau Chief
Office of the Attorney General
James R. Thompson Center
100 W. Randolph, 12th Floor
Chicago, Illinois 60601
(Via First Class Mail)

Richard McGill
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph, Suite 11-500
Chicago, Illinois 60601
(Via First Class Mail)

Participants on the Service List
(Via First Class Mail)

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board the Illinois Environmental Protection Agency's ("Illinois EPA") Motion to Correct the Transcript a copy of each of which is herewith served upon you.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: 
Kimberly A. Geving
Assistant Counsel
Division of Legal Counsel

DATE: April 9, 2009

1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

(217) 782-5544

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
)
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STATE OF ILLINOIS
Pollution Control Board

MOTION TO CORRECT THE TRANSCRIPT

NOW COMES the Illinois Environmental Protection Agency ("Illinois EPA") by one of its attorneys, Kimberly A. Geving, and pursuant to 35 Ill. Adm. Code 101.604 moves the hearing officer in this matter to correct the transcript of March 17, 2009 as follows:

Morning Transcript

<u>Page</u>	<u>Line</u>	<u>Correction</u>
3	6	Change "ADVIOSRY" to "ADVISORY"
3	15	Change "RAYMONT" to "RAYMOND"
8	4	Remove the word "End"
8	21	Change "Instructions" to "Intrusion"
9	8	Change "Tracy" to "Tracey"
10	7	Change "Tracy" to "Tracey"
10	7	Change "12" to "9"
10	12	Change "12" to "9"
11	9	Add "Action" after "Corrective"
11	9	Change "U.S. T-" to "UST" (this needs to be corrected throughout the entire transcript pp. 28, 38, 69, 71, 73, 74, 96, and 103)
12	9	Change "Leaky" to "Leaking"
13	10	Change "aquafir" to "aquifer"
14	2 & 3	Change "aquafir" to "aquifer"
14	24	Change "grounds" to "rounds"
15	23	Change "upgraded" to "updated"
16	8	Change "storing" to "scoring"
17	4	Change "folds" to "fold"
17	17	Change "at one point" to "endpoint"
19	15-16	Change "you are URF" to "URF"
21	14	Change "methyl-tert-butyl ether to "methyl tertiary-butyl

		ether” and delete the period and make the “w” in “We” lower case.
22	1	Add “1” after “J and E”
23	11	Add a “d” at the end of “pre-file”
28	24	Change “littoral” to “hazardous substance”
29	8	Remove the word “come”
29	21	Change “unit T-site” to “UST site”
30	20	Change “Leaky” to “Leaking”
31	14	Change “context” to “contexts”
31	19	Change “engineer” to “engineered”
32	13	Change “notary view” to “overview”
33	10	Change “medial” to “remedial”
33	12	Change “site” to “size”
36	3	Change “and” to “an”
40	2	Change “Harden” to “Martin”
41	16	Change “the sites that are have” to “there are sites that have not”
52	1	Change “Rebecca” to “RBCA”
52	6	Change “Rebecca” to “RBCA”
53	23	Change “newer” to “fewer”
55	20	Add “to” after “respect”
66	19	Change “94” to “97”
67	7	Change “94” to “97”
69	12	Change “outliners” to “outliers”
71	2	Change “year” to “near”
71	12	Change “Ethylene, Benzene” to “Ethylbenzene”
71	13	Change “coordinated” to “chlorinated”
72	12	Change “John and” to “Johnson”
72	16	Change “John” to “Johnson”
73	23	Change “TOC” to “TACO”
75	22	Change “filed” to “filled”
76	14	Remove “anal”
81	19	Change “Rebecca” to “RBCA”
82	15	Change “in” to “and”
90	21	Add “J &” before the “(E)” and remove parentheses around (E)
91	11	Add “his” after “in”; change “of the” to “as an”; add “witness” after “Agency”
103	24	Change “John” to “Johnson”
105	9	Change “TAC” to “TACO”
108	21	Change “TAC” to “TACO”
111	8	Change “fraud” to “fraught”
111	24	Change “alae” to “allay”

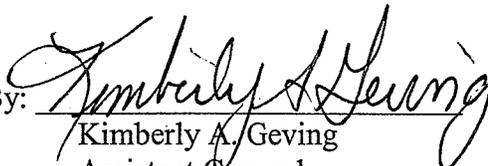
Afternoon Transcript

5	11	Change “care” to “air”
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5	14	Change "care" to "air"
5	17	Change "Sohocha (phonetic)" to "Salhotra"
6	14	Change "succeed" to "exceed"
7	22	Change "Inner" to "Indoor"
12	15	Change "mediation" to "remediation"
13	9	Change "favor" to "vapor"
13	22	Change "Set Co" to "Cetco" (same change on pp. 14, 15, and 16)
33	21	Change "were" to "where"
41	14	Change "it" to "is"
44	20	Change "numbness" to "numbers"
47	3	Change "care" to "air"
49	5	Change "no" to "know"
50	6	Change "perceive" to "proceed"

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: 
 Kimberly A. Geving
 Assistant Counsel
 Division of Legal Counsel

Dated: April 9, 2009

1021 N. Grand Ave. East
 P.O. Box 19276
 Springfield, Illinois 62794-9276
 (217) 782-5544

STATE OF ILLINOIS)
)
COUNTY OF SANGAMON)

PROOF OF SERVICE

I, the undersigned, on oath state that I have served the attached Motion to Correct the Transcript upon the persons to whom they are directed, by placing a copy of each in an envelope addressed to:

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

Bill Richardson
Chief Legal Counsel
Illinois Dept. of Natural Resources
One Natural Resources Way
Springfield, Illinois 62702-1271

Matt Dunn
Environmental Bureau Chief
Office of the Attorney General
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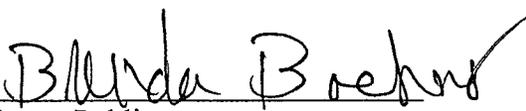
Richard McGill
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph, Suite 11-500
Chicago, Illinois 60601

Participants on the Service List

and mailing them (First Class Mail) from Springfield, Illinois on April 9, 2009, with sufficient postage affixed as indicated above.



SUBSCRIBED AND SWORN TO BEFORE ME
This 9th day of April, 2009.


Notary Public



Party Name	Role	City & State	Phone/Fax
<u>Illinois Environmental Protection Agency</u> Interested Party	1021 North Grand Avenue East P.O. Box 19276	Springfield IL 62794- 9276	217/782- 5544 217/782- 9807
Kimberly A. Geving, Assistant Counsel Annet Godiksen, Legal Counsel			
<u>IEPA</u> Petitioner	1021 North Grand Avenue East P.O. Box 19276	Springfield IL 62794- 9276	217/782- 5544 217/782- 9807
Kimberly A. Geving, Assistant Counsel			
<u>Hodge Dwyer & Driver</u> Complainant	3150 Roland Avenue Post Office Box 5776	Springfield IL 62705- 5776	217/523- 4900 217/523- 4948
Katherine D. Hodge Monica T. Rios			
<u>EPI</u> Interested Party	16650 South Canal	South Holland IL 60473	
Bob Mankowski			
<u>Chemical Industry Council of Illinois</u> Interested Party	1400 East Touhy Avenue Suite 100	DesPlaines IL 60019- 3338	
Lisa Frede			
<u>Bellande & Sargis Law Group, LLP</u> Interested Party	19 South LaSalle Street Suite 1203	Chicago IL 60603	312/853- 8701 312/853- 8702
Mark Robert Sargis			
<u>Hanson Engineers, Inc.</u> Interested Party	1525 South Sixth Street	Springfield IL 62703- 2886	217/788- 2450 217/788- 2503
Tracy Lundein			
<u>Conestoga-Rovers & Associates</u> Interested Party	8615 West Bryn Mawr Avenue	Chicago IL 60631	773/380- 9933 773/380- 6421
Douglas G. Soutter			
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Matthew J. Dunn, Division Chief			
<u>Navy Facilities and Engineering Command</u> Interested Party	201 Decatur Avenue Building 1A	Great Lakes IL 60088- 2801	847/688- 2600 847/688- 2319
Mark Schultz, Regional Environmental Coordinator			
<u>Illinois Pollution Control Board</u> Interested Party	100 W. Randolph St. Suite 11-500	Chicago IL 60601	312/814- 3620 312/814-

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Dorothy M. Gunn, Clerk of the Board Richard McGill, Hearing Officer			
<u>Commonwealth Edison</u> Interested Party Diane H. Richardson	10 South Dearborn Street 35FNW	Chicago IL 60603	
<u>Clayton Group Services</u> Interested Party Monte Nienkerk	3140 Finley Road	Downers Grove IL 60515	
<u>Weaver Boos & Gordon</u> Interested Party Elizabeth Steinhour	2021 Timberbrook Lane	Springfield IL 62702	
<u>Andrews Environmental Engineering</u> Interested Party Kenneth W. Liss	3300 Ginger Creek Drive	Springfield IL 62711	
<u>Graef Anhalt Schloemer & Associates, Inc.</u> Interested Party Dr. Douglas C. Hambley, P.E., P.C.	8501 West Higgins Road Suite 280	Chicago IL 60631-2801	
<u>Missman Stanley & Associates</u> Interested Party John W. Hochwarter Jeffrey Larson	333 East State Street	Rockford IL 61110-0827	
<u>Trivedi Associates, Inc.</u> Interested Party Chetan Trivedi	2055 Steeplebrook Court	Naperville IL 60565	
<u>Illinois Department of Natural Resources</u> Interested Party Stan Yonkauski William Richardson, Chief Legal Counsel	One Natural Resources Way	Springfield IL 62702-1271	217/782-1809 217/524-9640
<u>Suburban Laboratories, Inc.</u> Interested Party Jarrett Thomas, V.P.	4140 Litt Drive	Hillside IL 60162	708-544-3260
<u>Illinois Department of Transportation</u> Interested Party Steven Gobelman	2300 S. Dirksen Parkway Room 302	Springfield IL 62764	
<u>McGuire Woods LLP</u> Interested Party David Rieser	77 W. Wacker Suite 4100	Chicago IL 60601	312/849-8100
<u>Reott Law Offices, LLC</u> Interested Party Raymond T. Reott Jorge T. Mihalopoulos	35 East Wacker Drive Suite 650	Chicago IL 60601	312/332-7544
<u>Environmental Management & Technologies, Inc.</u> Interested Party Craig Gocker, President	3010 Gill Street	Bloomington IL 61704	309/661-2300 309661-2306

IL Environmental Regulatory Group
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Lawrence L. Fieber, Principal

Total number of participants: 34