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STATE OF ILLINOIS
Pollution Control Board

ORIGINAL

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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

R11-9
(Rulemaking-Land)

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)

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

Matt Dunn
Environmental Enf./Asbestos
Litigation Division
Illinois Attorney General's Office
69 W. Washington St., 18th Floor
Chicago, Illinois 60602
(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
Kimberly A. Geving
Assistant Counsel
Division of Legal Counsel

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
)
PROPOSED AMENDMENTS TO) R11-9
TIERED APPROACH TO CORRECTIVE) (Rulemaking-Land)
ACTION OBJECTIVES)
(35 Ill. Adm. Code 742))
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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 29, 2011 as follows:

<u>Transcript</u>		
<u>Page</u>	<u>Line</u>	<u>Correction</u>
4	11	Change "3" to "4"
13	15	Change "contaminates" to "contaminants"
17	11	Change "confirmance" to "conformance"
19	10	Change "fiscal" to "physical"
20	15	Change "as" to "at"
21	11	Change "2010" to "2012"
38	6	Change "directive" to "direct"
63	5	Change "studies in reports" to "studies and reports"
63	20	Change "system" to "distance"
65	15	Add the word "sampling" after "representative"
67	3	Change "line" to "l" and change "inch" to "H"
71	24	Change "act of" to "active"
73	8	Change "our" to "other"
75	15	Change "affective" to "advective"
75	23	Change "affective" to "advective"
76	6	Change "reason" to "reasonable"
80	5	Change "two or" to "Tier"
80	14	Change "?" to "."
80	21	Change "regulating" to "regulated"
85	15	Change "Institution" to "Institutional"
86	16	Change "in" to "and"
86	19	Change "stimey" to "stymie"

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

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

Dated: April 12, 2011

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

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STATE OF ILLINOIS
Pollution Control Board
ORIGINAL

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

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

Matt Dunn
Environmental Enf./Asbestos
Litigation Division
Illinois Attorney General's Office
69 W. Washington St., 18th Floor
Chicago, Illinois 60602

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 12, 2011, with sufficient postage affixed as indicated above.



SUBSCRIBED AND SWORN TO BEFORE ME

This 12th day of April, 2011.


Notary Public



12/7/2010	DCEO / Sec. of State	*Letter from DCEO stating they are unable to undertake an economic impact study	
12/1/2010	Other	*Letter to Director Ribley of DCEO Requesting Economic Impact Study	
12/1/2010	Motion	Agency's Motion for Leave from Filing Requirement	
11/22/2010	Other	*Electronic version of Proposed Amendments submitted by the IEPA (see Clerk's Office)	
11/18/2010	Order	Order of the Board by T. E. Johnson: Accept rulemaking proposal for hearing	
11/18/2010	Appearance	Appearance of Alec M. Davis for Illinois Environmental Regulatory Group (electronic filing)	
11/9/2010	Initial Filing	Proposed Amendments (< 4MB, 172 Pages)	
11/9/2010	Initial Filing	Motion for Acceptance; Appearance of Kimberly A. Geving; Certification of Origination; Statement of Reasons; and List of Studies and Reports Used in Regulatory Development	

Service List

Party Name	Address	City/State/Zip	Phone/Fax
IEPA Petitioner	1021 North Grand Avenue East P.O. Box 19276	Springfield IL 62794-9276	217/782- 5544 217/782- 9807
<ul style="list-style-type: none"> Kimberly A. Geving - Assistant Counsel 			
Hodge Dwyer & Driver Complainant	3150 Roland Avenue Post Office Box 5776	Springfield IL 62705-5776	217/523- 4900 217/523- 4948
<ul style="list-style-type: none"> Katherine D. Hodge Monica T. Rios 			
Mayer, Brown LLP Interested Party	71 South Wacker Drive	Chicago IL 60606-4637	312/782- 0600 312/701- 7711
<ul style="list-style-type: none"> Kevin G. 			

Desharnais			
<u>Sidley Austin LLP</u> Interested Party	One South Dearborn Suite 900	Chicago IL 60603	312/853-7000 312/853-7036
<ul style="list-style-type: none"> William G. Dickett 			
<u>EPI</u> Interested Party	16650 South Canal	South Holland IL 60473	
<ul style="list-style-type: none"> Bob Mankowski 			
<u>Illinois Environmental Regulatory Group</u> Interested Party	215 East Adams Street	Springfield IL 62701	217/522-5512 217/522-5518
<ul style="list-style-type: none"> Alec M. Davis 			
<u>Chemical Industry Council of Illinois</u> Interested Party	1400 East Touhy Avenue Suite 110	DesPlaines IL 60019-3338	
<ul style="list-style-type: none"> 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
<ul style="list-style-type: none"> Mark Robert Sargis 			
<u>Hanson Engineers, Inc.</u> Interested Party	1525 South Sixth Street	Springfield IL 62703-2886	217/788-2450 217/788-2503
<ul style="list-style-type: none"> Tracy Lundein 			
<u>Conestoga-Rovers & Associates</u> Interested Party	8615 West Bryn Mawr Avenue	Chicago IL 60631	773/380-9933 773/380-6421
<ul style="list-style-type: none"> Douglas G. Soutter 			
<u>Office of the Attorney General</u> Interested Party	Environmental Bureau 69 W. Washington, 18th Floor	Chicago IL 60602	312/814-0660 312/814-2347
<ul style="list-style-type: none"> Matthew J. Dunn - Division Chief 			
<u>Seyfarth Shaw</u> Interested Party	131 South Dearborn Street Suite 2400	Chicago IL 60603-5803	312/460-5000 312/460-7000
<ul style="list-style-type: none"> Craig B. Simonsen - Paralegal Phil Comella 			
<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
<ul style="list-style-type: none"> Mark Schultz - Regional Environmental Coordinator 			
<u>Illinois Pollution</u>	100 W.	Chicago	312/814-

Reott Law Offices, LLC Interested Party	35 East Wacker Drive Suite 650	Chicago IL 60601	312/332-7544
<ul style="list-style-type: none"> Raymond T. Reott Jorge T. Mihalopoulos 			
Environmental Management & Technologies, Inc. Interested Party	3010 Gill Street	Bloomington IL 61704	309/661-2300 309661-2306
<ul style="list-style-type: none"> Craig Gocker - President 			
Chicago Department of Law Interested Party	30 N. LaSalle Street Suite 900	Chicago IL 60602	312/742-3990 312/744-6798
<ul style="list-style-type: none"> Charles A. King - Assistant Corporation Counsel 			
SRAC Interested Party	2510 Brooks Drive	Decatur IL 62521	
<ul style="list-style-type: none"> Harry Walton 			
Burns & McDonnell Engineering Company, Inc. Interested Party	210 South Clark Street, Suite 2235 The Clark Adams Building	Chicago IL 60603	6306751625
<ul style="list-style-type: none"> Lawrence L. Fieber - Principal 			
Total number of participants: 28			

Notice List

Party Name	Address	City/State/Zip	Phone/Fax
Drinker Biddle & Reath Interested Party	191 N. Wacker Drive Suite 3700	Chicago IL 60606-1698	312/569/1000 312/569-3000
<ul style="list-style-type: none"> Sheila H. Deely Stephanie Jackson 			
Jones, Day, Reavis & Pogue Interested Party	77 West Wacker Drive	Chicago IL 60601-1692	312/782-3939 312/782-8585
<ul style="list-style-type: none"> LaNail C. Griffin 			
Illinois Power Company Interested Party	500 South 27th Street P.O. Box 511	Decatur IL 62525-1805	217/424-6833
<ul style="list-style-type: none"> Brian Martin 			
Hinshaw & Culbertson Interested Party	416 Main Street 6 th Floor	Peoria IL 61602	309/674-1025 309/674-9328