

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

CHICAGO COKE CO., INC.,)
 an Illinois corporation,)
)
 Petitioner,)
)
 v.)
)
 THE ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent,)
)
 NATURAL RESOURCE DEFENSE)
 COUNCIL and SIERRA CLUB,)
)
 Intervenor.)

PCB 10-75
 (Permit Appeal)

RECEIVED
CLERK'S OFFICE
JUN 13 2011
STATE OF ILLINOIS
Pollution Control Board

ORIGINAL

NOTICE OF FILING

TO: See Attached Service List

PLEASE TAKE NOTICE that on the 13th day of June, 2011, I filed with the Office of the Clerk of the Illinois Pollution Control Board the attached Administrative Record and Motion for Leave to File Reduced Number of Copies of Record, a copy of which is hereby served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
 PROTECTION AGENCY

By: Andrew Armstrong

Andrew B. Armstrong
 Assistant Attorney General
 Illinois Attorney General's Office
 Environmental Bureau
 69 West Washington Street, 18th Floor
 Chicago, Illinois 60602
 (312) 814-0660

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CERTIFICATE OF SERVICE

I, ANDREW B. ARMSTRONG, do certify that I filed with the Office of the Clerk of the Illinois Pollution Control Board the attached Notice of Filing, Administrative Record, and Motion for Leave to File Reduced Number of Copies of Record, and caused them to be served this 13th day of June, 2011 upon the persons listed on the attached Service List by depositing true and correct copies of same in an envelope, postage prepaid, with the United States Postal Service at 69 West Washington Street, Chicago, Illinois, unless otherwise noted on the Notice of Filing.



ANDREW B. ARMSTRONG

ORIGINAL

SERVICE LIST
(PCB 10-75 (Permit Appeal))

John Therriault, Assistant Clerk
Illinois Pollution Control Board
100 West Randolph, Suite 11-500
Chicago, Illinois 60601

Bradley P. Halloran, Hearing Officer
Illinois Pollution Control Board
100 West Randolph, Suite 11-500
Chicago, Illinois 60601

Michael J. Maher
Elizabeth Harvey
Erin E. Wright
Swanson, Martin & Bell, LLP
330 North Wabash Avenue, Suite 3300
Chicago, Illinois 60611

Ann Alexander
Shannon Fisk
Natural Resources Defense Council
2 North Riverside Plaza, Suite 2250
Chicago, Illinois 60606

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MOTION FOR LEAVE TO FILE
REDUCED NUMBER OF COPIES OF RECORD

NOW COMES, Respondent, THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, and moves for leave to file a reduced number of copies of the administrative record in this matter, and states as follows:

1. Section 101.302(h)(2) of the Board's Procedural Rules, 35 Ill. Adm. Code 101.302(h)(2), states that the Illinois EPA is to file a signed original and four duplicate copies of the record.

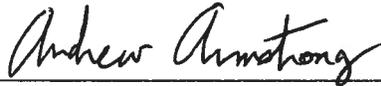
2. The record in this matter consists of 2,323 pages. Physical duplication of the record would be both time-consuming and a strain on State resources. For these reasons, plus the ability to include an electronic copy of the entire record on disk, Respondent requests the Board's consideration of a reduction in the number of hard copies required.

3. Communication with the Board Clerk's Office indicated that the Board may be agreeable to accepting an original, two duplicate hard copies, and two duplicate copies on compact discs, in lieu of the required original and four duplicate hard copies.

WHEREFORE, on the foregoing grounds and for the foregoing reasons, Respondent respectfully requests leave to file a reduced number of copies, that being an original, two duplicate hard copies and two duplicate copies on compact disc, of the record in this matter.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: 

Andrew B. Armstrong
Assistant Attorney General
Illinois Attorney General's Office
Environmental Bureau
69 West Washington Street, 18th Floor
Chicago, Illinois 60602
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ADMINISTRATIVE RECORD

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: Andrew Armstrong

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Assistant Attorney General
Illinois Attorney General's Office
Environmental Bureau
69 West Washington Street
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**Privilege Log -
 Chicago Coke Co., Inc. v. IEPA
 (PCB 10-75) (Permit Appeal)**

Bates Number	Date of Document	Document Description	From/by	To	Claim of Privilege
1536	05/25/07	Email re: emission offsets	Robert Smet, Permit Engineer, IEPA Bureau of Air	Laurel Kroack, Bureau Chief, IEPA Bureau of Air; Chris Romaine, Manager, Construction Unit, Permitting Section, IEPA Bureau of Air; and John Kim, Manager, Air Regulatory Unit, IEPA Division of Legal Counsel	Deliberative Process
1545-1547	06/01/07	Handwritten notes regarding meeting between Illinois EPA and representatives of Chicago Coke and Leucadia	John Kim, Manager, Air Regulatory Unit, IEPA Division of Legal Counsel		Deliberative Process; Attorney Work Product
1548	06/15/07	Handwritten notes regarding internal Illinois EPA meeting re: emission offsets	John Kim, Manager, Air Regulatory Unit, IEPA Division of Legal Counsel		Deliberative Process; Attorney Work Product
1550	02/15/07	Email re: emission offsets	Robert Smet, Permit Engineer, IEPA Bureau of Air	Laurel Kroack, Bureau Chief, IEPA Bureau of Air	Deliberative Process

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**Privilege Log -
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Bates Number	Date of Document	Document Description	From/by	To	Claim of Privilege
1562	06/16/07	Email re: emission offsets	Robert Smet, Permit Engineer, IEPA Bureau of Air	Laurel Kroack, Bureau Chief, IEPA Bureau of Air; Chris Romaine, Manager, Construction Unit, Permitting Section, IEPA Bureau of Air; and John Kim, Manager, Air Regulatory Unit, IEPA Division of Legal Counsel	Deliberative Process; Attorney - Client

**Privilege Log -
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Bates Number	Date of Document	Document Description	From/by	To	Claim of Privilege
1563	08/14/07	Email re: emission offsets	Robert Smet, Permit Engineer, IEPA Bureau of Air	Laurel Kroack, Bureau Chief, IEPA Bureau of Air; Chris Romaine, Manager, Permitting Section, IEPA Bureau of Air; John Kim, Manager, Air Regulatory Unit, IEPA Division of Legal Counsel; Ed Bakowski, Manager, Permitting Section, IEPA Bureau of Air; Sally Carter, Assistant Counsel, IEPA Division of Legal Counsel; and Vicky VonLanken Assistant, Bureau of Air	Deliberative Process; Attorney - Client

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Bates Number	Date of Document	Document Description	From/by	To	Claim of Privilege
1565	11/08/07	Email re: emission offsets	Robert Smet, Permit Engineer, IEPA Bureau of Air	Laurel Kroack, Bureau Chief, IEPA Bureau of Air; Chris Romaine, Manager, Construction Unit, Permitting Section, IEPA Bureau of Air; Rob Kaleel, Manager, Air Quality Planning Section, IEPA Bureau of Air; and Ed Bakowski, Manager, Permitting Section, IEPA Bureau of Air	Deliberative Process

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Bates Number	Date of Document	Document Description	From/by	To	Claim of Privilege
1566-1567	06/25/08	Email re: emission offsets	Laurel Kroack, Bureau Chief, Illinois EPA Bureau of Air	Chris Romaine, Manager, Construction Unit, Permitting Section, IEPA Bureau of Air, and Ed Bakowski, Manager, Permitting Section, IEPA Bureau of Air	Deliberative Process
1568	07/18/08	Email re: correspondence with Chicago Coke	John Kim, Manager, Air Regulatory Unit, IEPA Division of Legal Counsel	Laurel Kroack, Bureau Chief, Illinois EPA Bureau of Air	Deliberative Process; Attorney - Client; Attorney Work Product
1572-1573	07/25/08	Email re: emission offsets	Laurel Kroack, Bureau Chief, Illinois EPA Bureau of Air	John Kim, Manager, Air Regulatory Unit, IEPA Division of Legal Counsel	Deliberative Process; Attorney - Client
1577	01/15/10	Email re: correspondence with Chicago Coke	John Kim, Manager, Chief Legal Counsel, IEPA Division of Legal Counsel	Laurel Kroack, Bureau Chief, Illinois EPA Bureau of Air	Deliberative Process; Attorney - Client; Attorney Work Product