

John Therriault - FYI regarding an error in the R11-9 first notice opinion and order

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From: "Geving, Kim" <Kim.Geving@Illinois.gov>
To: Richard McGill <MCGILLR@ipcb.state.il.us>
Date: 5/15/2012 11:59 AM
Subject: FYI regarding an error in the R11-9 first notice opinion and order
CC: "Hurley, Tracey" <Tracey.Hurley@Illinois.gov>, "Nifong, Heather" <Heather.Nifong@Illinois.gov>

Hi Richard,

As my group is working on compiling comments to address the Board's issues in the first notice opinion and order, it came to Tracey's attention that there is an error in the order. At p. 22, second to last paragraph, last sentence where you are discussing her testimony your order states "For chloroform, IEPA proposed the groundwater quality standard as the remediation objective because the calculated remediation objective was less stringent than the groundwater quality standard. *Id.*" However, Tracey looked back at her pre-filed testimony, and she actually said that the objective was "lower than" the groundwater quality standard, which means it was more stringent.

I don't know if this is a big deal given that the text of the rule is correct and her testimony was correct, but I thought maybe I'd just better let you know in case you wanted to do a correction or mention it for second notice.

Let me know if there's anything you need from me.

Our Comments will be to the Board in less than two weeks.

Thanks,

Kim

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