### BEFORE THE ILLINOIS POLLUTION CONTROL BOARD ECEIVED

RON PARMELE,	JUL 11 2014
Petitioner,	STATE OF ILLINOIS Pollution Control Board
v. )	PCB 15- (LUST Appeal – Ninety Day
ILLINOIS ENVIRONMENTAL PROTECTION ) AGENCY, )	Extension)
Respondent. )	2 ORIGINAL
NOTICE	

John Therriault Clerk Illinois Pollution Control Board 100 West Randolph Street, Suite 11-500 Chicago, Illinois 60601-3218

Allan Green
Midwest Environmental Consulting
& Remediation Services Inc.
P.O. Box 614
Tremont, Illinois 61568-0614

PLEASE TAKE NOTICE that I have today caused to be filed a REQUEST FOR NINETY DAY EXTENSION OF APPEAL PERIOD with the Illinois Pollution Control Board, copies of which are served upon you.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

James G. Richardson Deputy General Counsel

Dated: July 9, 2014

1021 North Grand Avenue East

P.O. Box 19276

Springfield, Illinois 62794-9276

217/782-5544

THIS FILING IS SUBMITTED ON RECYCLED PAPER

# BEFORE THE ILLINOIS POLLUTION CONTROL BOARD RECEIVED

RON PARMELE,	JUL 1 1 2014
Petitioner,	STATE OF ILLINOIS Pollution Control Board
v.	) PCB No. 15- (LUST Appeal – Ninety Day Extension)
ILLINOIS ENVIRONMENTAL	)
PROTECTION AGENCY,	)
Respondent.	

## REQUEST FOR NINETY DAY EXTENSION OF APPEAL PERIOD

NOW COMES the Respondent, the Illinois Environmental Protection Agency ("Illinois EPA"), by one of its attorneys, James G. Richardson, Deputy General Counsel, and, pursuant to Section 40(a)(1) of the Illinois Environmental Protection Act (415 ILCS 5/40(a)(1)) and 35 Ill. Adm. Code 105.208, hereby requests that the Illinois Pollution Control Board ("Board") grant an extension of the thirty-five (35) day period for petitioning for a hearing to October 16, 2014, or any other date not more than a total of one hundred twenty-five (125) days from the date of receipt of the Illinois EPA's final decision. In support thereof, the Illinois EPA respectfully states as follows:

- 1. On June 10, 2014, the Illinois EPA issued a final decision to the Petitioner.
- 2. On July 7, 2014, the Petitioner made a written request to the Illinois EPA for an extension of time by which to file a petition for review, asking the Illinois EPA to join in requesting that the Board extend the thirty-five day period for filing a petition by ninety days. Upon information and belief, the Petitioner received the final decision on or about June 13, 2014.

3. The additional time requested by the parties may eliminate the need for a hearing in this matter or, in the alternative, allow the parties to identify issues and limit the scope of any hearing that may be necessary to resolve this matter.

WHEREFORE, for the reasons stated above, the parties request that the Board, in the interest of administrative and judicial economy, grant this request for a ninety-day extension of the thirty-five day period for petitioning for a hearing.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

James G. Richardson Deputy General Counsel

Dated: July 9, 2014

1021 North Grand Avenue, East P.O. Box 19276 Springfield, Illinois 62794-9276 217/782-5544 217/782-9143 (TDD)

THIS FILING IS SUBMITTED ON RECYCLED PAPER



#### ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-2829

PAT QUINN, GOVERNOR

LISA BONNETT, DIRECTOR

217/524-3300

JUN 1 0 2014

CERTIFIED MAIL # 7012 0470 0001 2975 1783

Ron Parmele 105 West Westminister Drive Mackinaw, IL. 61755

Re: LPC #1790355011 -- Tazewell County

Mackinaw / Parmele's Service Route 9 & Mackinaw Blacktop

Incident-Claim No.: 992682 -- 64162

Leaking UST Fiscal File

Dear Mr. Parmele:

The Illinois Environmental Protection Agency (Illinois EPA) has completed the review of your request to reconsider an Illinois EPA decision on application for payment from the Underground Storage Tank (UST) Fund for the above-referenced Leaking UST incident pursuant to Section 57.8(a) of the Illinois Environmental Protection Act (Act), as amended by Public Act 92-0554 on June 24, 2002, and 35 Illinois Administrative Code (35 Ill. Adm. Code) 734.Subpart F. This request for reconsideration is dated February 7, 2014 and was received by the Illinois EPA on February 10, 2014. The amount requested for reconsideration is \$55,535.87.

In accordance with Section 57.8(a)(1) of the Act and 35 Ill. Adm. Code 734.610(d), the Illinois EPA issued a final decision regarding the issues in your request for reconsideration on January 28, 2014. Further, in accordance with Section 57.8(i) of the Act and 35 Ill. Adm. Code 734.610(g), the Illinois EPA's action to deny payment or a portion of a payment for an application was subject to appeal to the Illinois Pollution Control Board within 35 days of receipt of the Illinois EPA's final action. No appeal was filed with the Illinois Pollution Control Board.

If you have any questions or require further assistance, please contact Catherine S. Elston of my staff at 217-785-9351 or Brian Bauer of Harry Chappel's staff at 217-782-3335.

Sincerely,

Hernando A. Albarracin, Manager

Leaking Underground Storage Tank Section

Division of Remediation Management

Bureau of Land

HAA:CSE

c: Midwest Environmental Consulting & Remediation Leaking UST Claims Unit Cathy Elston Brian Bauer

RECEIVED CLERK'S OFFICE

#### CERTIFICATE OF SERVICE

JUL 1 1 2014

I, the undersigned attorney at law, hereby certify that on July 9, 2014 I served true and correct copies of a REQUEST FOR NINETY DAY EXTENSION OF APPEAL PERIOD by first class mail of the United States Postal Service upon the persons as follows:

John Therriault Clerk Illinois Pollution Control Board 100 West Randolph Street, Suite 11-500 Chicago, Illinois 60601-3218

Allan Green
Midwest Environmental Consulting
& Remediation Services Inc.
P.O. Box 614
Tremont, Illinois 61568-0614

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

James G. Richardson
Deputy General Counsel
Division of Legal Counsel
1021 North Grand Avenue East
P.O. Box 19276
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