

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

CHEM-PLATE INDUSTRIES, LLC,)	
Petitioners,)	
)	
v.)	PCB 26-
)	(RCRA – Ninety Day
ILLINOIS ENVIRONMENTAL PROTECTION)	Extension)
AGENCY,)	
Respondent.)	

NOTICE

Don Brown, Clerk
Illinois Pollution Control Board
60 East Van Buren St., Suite 630
Chicago, IL 60605
don.brown@illinois.gov

Chem-Plate Industries, LLC
c/o Phillip L. Comella, Partner
Taft Law
111 E. Wacker Drive, Suite 2600
Chicago, IL 60601-4208
PComella@taftlaw.com

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



Melanie A. Jarvis
Deputy Chief Counsel – Land Enforcement
P.O. Box 19276
Springfield, Illinois 62794-9276
217/782-5544
melanie.jarvis@illinois.gov
Dated: April 7, 2026

THIS FILING IS SUBMITTED ON RECYCLED PAPER

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

CHEM-PLATE INDUSTRIES, LLC,)	
Petitioners,)	
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)	(RCRA – Ninety Day
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REQUEST FOR NINETY DAY EXTENSION
OF APPEAL PERIOD

NOW COMES the Respondent, the Illinois Environmental Protection Agency (“Illinois EPA”), by one of its attorneys, Melanie A. Jarvis, Assistant 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 July 13, 2026, 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 or about March 3, 2026, the Illinois EPA issued a final decision to the Petitioner.
2. On April 7, 2026, the Petitioner made a 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, Petitioner received the final decision on or about March 10, 2026.
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



Melanie A Jarvis
Deputy Chief Counsel – Land Enforcement
P.O. Box 19276
Springfield, Illinois 62794-9276
217/782-5544
866/273-5488 (TDD)
melanie.jarvis@illinois.gov
Dated: April 7, 2026

THIS FILING IS SUBMITTED ON RECYCLED PAPER

CERTIFICATE OF SERVICE

I, the undersigned attorney at law, hereby certify that on April 7, 2026, I served true and correct copies of a **REQUEST FOR NINETY DAY EXTENSION OF APPEAL PERIOD** by the method(s) and to the persons identified below:

Electronic Service

Don Brown, Clerk
Illinois Pollution Control Board
60 East Van Buren St., Suite 630
Chicago, IL 60605
don.brown@illinois.gov

Chem-Plate Industries, LLC
c/o Phillip L. Comella, Partner
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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY



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From: [Comella, Philip L.](#)
To: [Jarvis, Melanie](#)
Subject: [External] Request for 90-day Extension to file Appeal
Date: Tuesday, April 7, 2026 10:56:03 AM
Attachments: [Scanned from a Xerox Multifunction Printer.pdf](#)
Importance: High

Melanie, as indicated, I just became more involved in this matter. On behalf of Chem-Plate Industries, I request a 90 day extension to file an appeal of this decision. Thank you for your help.

Phil



Philip L. Comella

Partner
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Illinois Environmental Protection Agency

2520 West Iles Avenue • P.O. Box 19276 • Springfield, Illinois • 62794-9276 • 217-782-3397

JB Pritzker, Governor

James Jennings, Acting Director

217-524-3301

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

MAR 03 2026

9589 0710 5270 2887 2258 32

Aaron Straus
Chem-Plate Industries LLC
1800 Touhy Ave
Elk Grove Village, IL 60007

Re: 0311835009 -- Cook County
Chem-Plate Industries LLC
ILD00665372
Log No C-658-M-12
RCRA Closure – 24B
Permit Closure Final Action

Dear Aaron Straus:

This letter is in response to the document dated December 29, 2025, which was received by Illinois EPA on January 5, 2026. It was submitted by Ramboll Americas Engineering Solutions Inc on behalf of Chem-Plate Industries Inc (Chem-Plate) in response to Illinois EPA's correspondence dated August 8, 2025, regarding the interim status closure of the hazardous waste container storage area (process code S01) at the Chem-Plate facility located at 30 North 8th Avenue in Maywood, Illinois.

The original closure plan for the hazardous waste storage area was approved on November 2, 1992 (Log No C-658), following an inspection by Illinois EPA which observed storage of tetrachloroethylene for greater than 90 days without a RCRA Permit. In 1993, soil investigations at the facility revealed that chlorinated solvent contamination had extended into the alley west of the Chem-Plate facility. Illinois EPA approved a Highway Authority Agreement with the Village of Maywood on March 9, 2011, for the alley and it approved an Environmental Land Use Control (ELUC) requiring engineered barriers over contaminated soil at the facility. The ELUC was recorded on December 9, 2005, with the Cook County Recorder of Deeds (Document No 0535603120). A separate ELUC for a contaminated neighboring property was recorded on January 20, 2004 (Document No 0402044036).

0311835009 -- Cook County

Log No C-658-M-12

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More recently, Illinois EPA issued a Non-Compliance Advisory (NCA) to Chem-Plate on June 27, 2022, when it was observed that the activities required by the approved closure plan were not yet completed. Chem-Plate submitted a closure plan modification in response to the NCA dated February 29, 2024, which was not approved by Illinois EPA.

Illinois EPA has reviewed the subject submittal as a modification to the approved closure plan and cannot approve it for the following reasons:

1. Illinois EPA reviewed data submitted under Log No C-658-M-5, dated July 25, 1997, which indicate that trichloroethylene (TCE) and tetrachloroethylene (PCE) were present at concentrations exceeding the soil saturation limit. In accordance with 35 IAC 742.305, no exposure route may be excluded from consideration while contaminant concentrations exceed the applicable soil saturation limit.
2. Some of the original contamination may have naturally degraded over time; however, the degradation of PCE and TCE can produce vinyl chloride, a daughter product that poses greater risk to human health and the environment than the parent compounds.
3. In 2013, the indoor inhalation exposure route was added to 35 IAC Part 742. The most recent soil investigation at this facility did not evaluate this pathway; therefore, Illinois EPA requires evaluation of the indoor inhalation exposure route prior to completion of RCRA closure. Although demolition of the existing structure would typically render this pathway incomplete, contaminant concentrations exceeding the soil saturation limit, and potentially the soil vapor saturation limit, prevent exclusion of this pathway.
4. Illinois EPA allowed for exclusion of the soil component of the groundwater ingestion exposure route during a Tier 3 evaluation which was approved on September 18, 1997. This pathway does not need to be assessed further.
5. Within 60 days of the date of this letter, submit a work plan addressing the concerns identified in Conditions 1-3. The work plan must include:
 - a. background information about the facility;
 - b. the goals and objectives of the sampling effort;
 - c. a description of the quality assurance/quality control procedures that will be utilized during sampling;
 - d. a description of the sampling procedures;
 - e. a description of how waste generated by sampling will be handled;

- f. the locations to be sampled, which must be approximately those locations indicated B-6, C-6, C-7, C-8, C-9, and C-10 on the map attached to this letter;
 - g. the list of analytes, which may be limited to PCE, TCE, cis and trans 1,2-dichloroethylene, and vinyl chloride; and
 - h. a plan for addressing the indoor inhalation exposure route at the affected off-site property located at 15 North 9th Avenue, Maywood, Illinois.
6. Chem-Plate does not have a current cost estimate and financial assurance for closure activities as required by 35 IAC 725.242–243. With the work plan described in Condition 5, submit a cost estimate for the activities required to complete RCRA closure. Chem-Plate must establish financial assurance for the estimated amount within 60 days of Illinois EPA’s approval of the cost estimate in accordance with 35 IAC 725.243.

This letter will constitute Illinois EPA’s final decision on the subject submittal. The owner or operator may appeal this final decision to the Illinois Pollution Control Board in accordance with Section 40 of the Act by filing a petition for a hearing within 35 days after the date of issuance of the final decision. However, the 35-day period may be extended for a period not to exceed 90 days by written notice from the applicant and Illinois EPA within the initial 35-day appeal period. If the owner or operator wishes to receive a 90-day extension, a written request that includes a statement of the date the final decision was received, along with a copy of this decision, must be sent to Illinois EPA as soon as possible.

For information regarding the request for an extension, please contact:

Illinois Environmental Protection Agency
Division of Legal Counsel
2520 West Iles Avenue
Post Office Box 19276
Springfield, Illinois 62794-9276
217-782-5544

For information regarding the filing of an appeal, please contact:

Illinois Pollution Control Board
60 East Van Buren Street, Suite 630
Chicago, Illinois 60605-1241
312-814-3620

Work required by this letter, submittal, or the regulations may also be subject to other laws governing professional services, such as the Illinois Professional Land Surveyor Act of 1989, the

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0311835009 -- Cook County
Log No C-658-M-12
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Professional Engineering Practice Act of 1989, the Professional Geologist Licensing Act, and the Structural Engineering Licensing Act of 1989. This letter does not relieve anyone from compliance with these laws and the regulations adopted pursuant to these laws. All work that falls within the scope and definitions of these laws must be performed in compliance with them. Illinois EPA may refer any discovered violation of these laws to the appropriate regulating authority.

Questions regarding this letter should be sent to Behzad Feda by phone at 217-524-8980 or by email at behzad.feda@illinois.gov.

Sincerely,



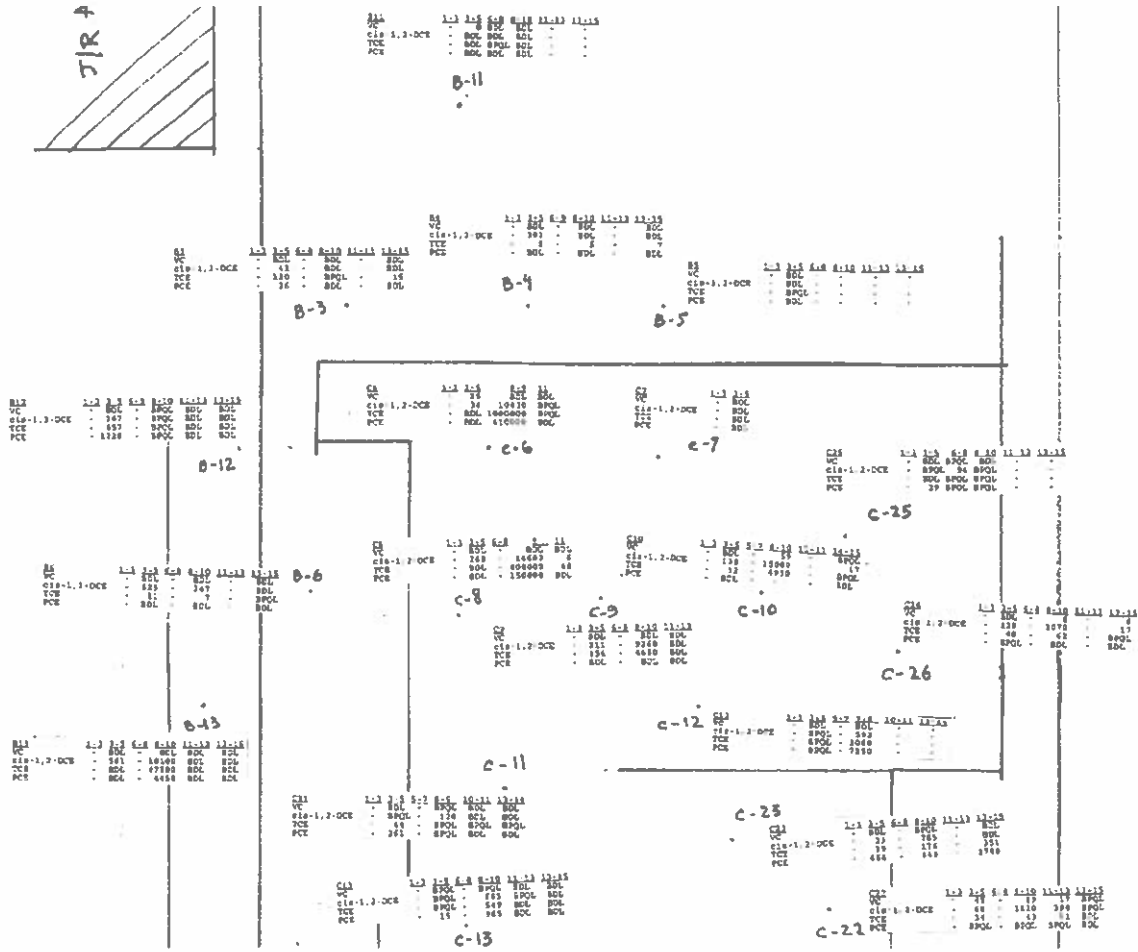
Joshua L Rhoades, PG
Permit Section Manager
Bureau of Land

JLR:BF:0311835009-RCRA-C658M12-Denial.docx

BF **TJH.**
Attachment: 1997 Facility Map with Soil Data

cc: Angela DeDolph – Ramboll Americas Engineering Solutions Inc
Daniel Petersen – Ramboll Americas Engineering Solutions Inc

Attachment
1997 Facility Map with Soil Data



This is an excerpt from a map submitted with the 1997 soil investigation conducted by Terra Nova Research Inc (Log No C-658-M-5).

