

BEFORE THE POLLUTION CONTROL BOARD
OF THE STATE OF ILLINOIS

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JUN 9 2003

GRAHAM OIL COMPANY,)
Petitioner,)
v.)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
Respondent.)

PCB No. 03-229
(LUST - Ninety Day Extension)

STATE OF ILLINOIS
Pollution Control Board

NOTICE

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street
Suite 11-500
Chicago, IL 60601

Ronald W. Schrack, P.E.
Schrack Environmental Consulting, Inc.
1415 West 22nd Street
Tower Floor
Oak Brook, IL 60523

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

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,
Respondent

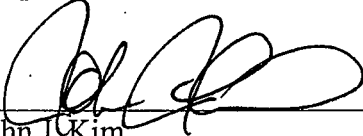


John I. Kim
Assistant Counsel
Special Assistant Attorney General
Division of Legal Counsel
1021 North Grand Avenue, East
P.O. Box 19276
Springfield, Illinois 62794-9276
217/782-5544
217/782-9143 (TDD)
Dated: June 4, 2003

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,
Respondent



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Dated: June 4, 2003

This filing submitted on recycled paper.

owner or operator and the 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 the Illinois EPA as soon as possible.

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

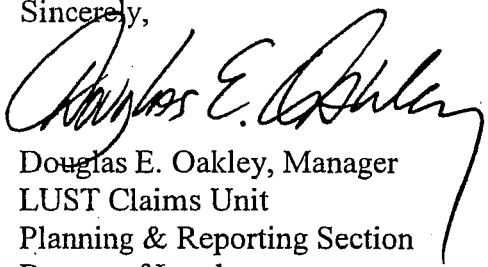
Dorothy Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center
100 West Randolph, Suite 11-500
Chicago, Illinois 60601
312/814-3620

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

Illinois Environmental Protection Agency
Division of Legal Counsel
1021 North Grand Avenue East
Springfield, Illinois 62794-9276
217/782-5544

If you have any questions, please contact Bill Richards of my staff or Tom Henninger at 217/782-6762.

Sincerely,



Douglas E. Oakley, Manager
LUST Claims Unit
Planning & Reporting Section
Bureau of Land

DEO:WWR;jk\032462.doc

Attachment

cc: Schrack Environmental Consulting, Inc.

Attachment A
Accounting and Technical Deductions

Re: LPC #0312883006 -- Cook County
Skokie/Graham Oil Co.
5343 Touhy Avenue
LUST Incident #920289
LUST FISCAL FILE

Item # Description of Deductions

Accounting -

1. \$631.97, deduction in costs that the owner/operator failed to demonstrate were reasonable (Section 22.18b(d)(4)(C) of the Environmental Protection Act).

Mileage exceeds reasonability by \$206.97.

Reduced Support Vehicle (1) by \$425.00 because it was not used for full days by personnel.

Technical -

2. \$1,448.83, deduction in costs that the owner/operator failed to demonstrate were reasonable (Section 22.18b(d)(4)(C) of the Environmental Protection Act).

Need to itemize/explain why so high.

DEO:WWR:jk\032462.doc



*Environmental Site Assessments
and
Remediation Management Services*

May 29, 2003

Mr. John Kim
Illinois Environmental Protection Agency
Division of Legal Counsel
1021 North Grand Avenue East
Springfield, Illinois 62794 - 9276

RE: LPC # 0312883006 -- Cook County
Skokie/Graham Oil Co.
5343 Touhy Avenue
LUST Incident Number: 920289

Dear Mr. Kim:

This correspondence is being submitted to request a 90 day extension to resolve the issues associated with the LUST reimbursement request filed for the above referenced property. A copy of the April 30, 2003 determination letter received from the IEPA for the subject site is provided as **Attachment A**.

SECI, the consultant and agent for the owner of the subject property, submitted a correspondence to Mr. Thomas Heninger of the LUST Section responding to the deductions made in the aforementioned determination letter. A copy of the May 5, 2003 response letter submitted by SECI is provided in **Attachment B**.

The property owner would prefer to resolve this issue without filing an appeal with the Illinois Pollution Control Board. If you have any questions concerning this correspondence, please feel free to contact me at 630 - 243 - 1777. Thank you for your assistance with this matter.

Sincerely,

Ronald W. Schrack, P.E.

President

PN: 0017.02

CC: Mr. Eugene W. Graham - Graham Oil Company

B

SCHRACK ENVIRONMENTAL CONSULTING, INC.

1415 West 22nd Street
Tower Floor

Oak Brook, Illinois 60523

Phone: (630) 243-1777 Fax: (630) 243-1888



CERTIFICATE OF SERVICE

I, the undersigned attorney at law, hereby certify that on June 4, 2003, I served true and correct copies of a REQUEST FOR NINETY DAY EXTENSION OF APPEAL PERIOD, by placing true and correct copies in properly sealed and addressed envelopes and by depositing said sealed envelopes in a U.S. mail drop box located within Springfield, Illinois, with sufficient First Class Mail postage affixed thereto, upon the following named persons:

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street
Suite 11-500
Chicago, IL 60601

Ronald W. Schrack, P.E.
Schrack Environmental Consulting, Inc.
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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,

Respondent



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