

BEFORE THE
ILLINOIS POLLUTION CONTROL BOARD

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JUL 7 2003

SCI ILLINOIS SERVICES, INC.,)
)
Petitioner,)
)
v.)
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

STATE OF ILLINOIS
Pollution Control Board

PCB- 04-01
(UST Review)

NOTICE OF MOTION

To: See Attached Service List

PLEASE TAKE NOTICE that on July 7, 2003, we filed with the Clerk of the Illinois Pollution Control Board, 100 West Randolph Street, James R. Thompson Center Suite 11-500, Chicago, Illinois, 60601-3218, an original and nine (9) copies of **MOTION TO STRIKE PORTIONS OF THE PETITION FOR REVIEW AND HEARING**; a copy of said Motion is attached hereto and hereby served upon you.

SCI ILLINOIS SERVICES, INC.

By  _____
One of Its Attorneys

Andrew H. Perellis
Lorena S. Neal
SEYFARTH SHAW
55 East Monroe Street
Suite 4200
Chicago, Illinois 60603
(312) 346-8000

AFFIDAVIT OF SERVICE

The undersigned, an attorney, states that he caused a copy of the attached:

- (i) MOTION TO STRIKE PORTIONS OF THE PETITION FOR REVIEW AND HEARING, and,
- (ii) NOTICE OF MOTION,

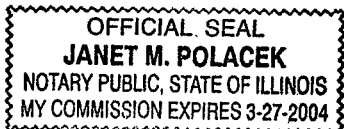
to be served upon the following by Certified Mail, Return Receipt Requested, from 55 East Monroe St., Chicago, Illinois 60603, this 7th day of July, 2003:

Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276



Andrew H. Perellis

SUBSCRIBED TO AND SWORN BEFORE ME
THIS 7TH DAY OF JULY, 2003


NOTARY PUBLIC

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**MOTION TO STRIKE PORTIONS OF THE
PETITION FOR REVIEW AND HEARING**

Petitioner, SCI Illinois Services, Inc., by its attorneys, SEYFARTH SHAW, moves to strike portions of its Petition for Review and Hearing ("Petition") filed July 1, 2003, and in support thereof states:

1. The Petition as filed sought review of: (a) the May 27, 2003 decision of the Illinois Environmental Protection Agency ("Illinois EPA" or "Agency") to reject Petitioner's Site Classification Completion Report, and (b) the June 11, 2003 decision of the Agency to deny reimbursement in the amount of \$29,611.60.

2. On July 2, 2003, following a discussion with the Clerk's office, Petitioner filed a separate appeal of the Agency's June 11 decision denying reimbursement. That appeal has been docketed as PCB 04-3.

3. Accordingly, Petitioner now seeks to limit the appeal in the instant proceeding, PCB 04-01, to review of the May 27, 2003 decision of the Illinois EPA to reject Petitioner's Site Classification Completion Report.

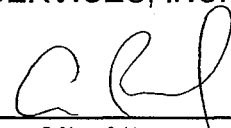
WHEREFORE, Petitioner moves to strike:

- a. Paragraph 4 of the Petition,
- b. Subsections d. and e. from the Petition's prayer for relief, and
- c. Exhibit B attached to the Petition.

Respectfully submitted,

SCI ILLINOIS SERVICES, INC.

By



One of Its Attorneys

Andrew H. Perellis
Lorena S. Neal
SEYFARTH SHAW
55 E. Monroe St., Suite 4200
Chicago, Illinois 60603
(312) 346-8000