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AUG 8 2003

STATE OF ILLINOIS  
Pollution Control Board

### Lease Breakdown

Equipment Cost

\$ 75,000.00

Lease term (months)

36

Down Payment

\$ 8,176.00

Down Payment Amortization Term (months)

24

Overhead (% markup)

0.25

Amount of Each Payment (principal and interest + sales tax)

\$ 2,677.62

### Monthly Equipment Charge Calculation

*monthly lease payment + (down payment/24) + overhead = monthly charge*

\$2677.62 + \$340.67 + \$754.57 = \$3,772.86 *Calculated monthly charge\**

\*Actual amount rounded down to nearest \$50

Blumberg No. 5136  
PETITIONER'S  
EXHIBIT  
1

**BEFORE THE POLLUTION CONTROL BOARD**  
**OF THE STATE OF ILLINOIS**

DALEE OIL COMPANY,	)	
	)	
Petitioner,	)	
	)	PCB No. 03-118
vs.	)	PCB No. 03-119
	)	PCB No. 03-150
ILLINOIS ENVIRONMENTAL	)	(UST Fund)
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

**AFFIDAVIT OF ATTORNEY'S FEES**

STATE OF ILLINOIS            )  
  ) ss.  
COUNTY OF JEFFERSON        )

I, Curtis W. Martin, being first duly sworn, on oath depose and state:

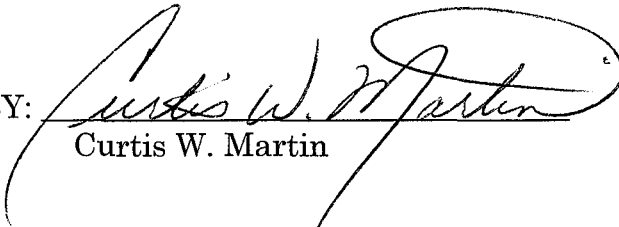
1. I am counsel for DaLee Oil Company.
2. I have represented DaLee Oil Company with regard to its Petition for Review of Final Agency Leaking Underground Storage Tank Decision since February 12, 2003 and have rendered necessary services on its behalf which are fully detailed in the invoice attached to this Affidavit.
3. The total of attorney's fees and costs through the date hereof is \$2,260.00 fees and \$225.00 costs.
4. Such fees and costs were necessarily incurred for the protection and enforcement of DaLee Oil Company's rights, and are recoverable by it pursuant to 415 ILCS 5/57.8(l) and 35 Ill. Adm. Code 732.606(g).



5. The description of services contained in this Affidavit was prepared from daily time records required of the attorneys in our firm, and they accurately reflect the services rendered on DaLee Oil Company's behalf.

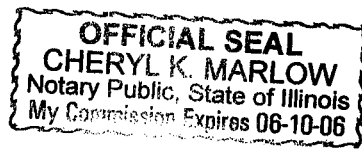
6. The charges for such services are those ordinarily and customarily charged by the firm for the type of work involved and are within the range of charges for such work by other lawyers of comparable skill and experience who practice before this Board.

DATED: July 24, 2003.

BY:   
Curtis W. Martin

Subscribed and sworn to before me this 24th day of July, 2003.

  
Notary Public



Curtis W. Martin  
IL ARDC No. 06201592  
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# SHAW & MARTIN

ATTORNEYS

Robert E. Shaw

Curtis W. Martin

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United Science Industries, Inc.  
P.O. Box 360  
Woodlawn, IL 62898

July 24, 2003

## STATEMENT FOR SERVICES

Re: DaLee Oil Company/Pollution Control Board Appeal

<u>DATE</u>	<u>DESCRIPTION</u>	<u>HOURS</u>	<u>AMOUNT</u>
02/12/03	Conference with Duane and Holly re possible DeLee appeal.	1.00	100.00
02/21/03	Review of draft letter from Holly to the IEPA re DaLee's request for reimbursement on the vapor extracting unit and e-mail to Holly re same.	.30	30.00
05/05/03	Conference with Holly Morgan re DaLee's documentation for PCB appeal.	.30	30.00
05/06/03	Preparation of appeals to PCB on DaLee and preparation of Motion for Consolidation.	2.00	200.00
05/07/03	Further preparation of appeals to PCB on DaLee and Notices of filing appeals and letter to the clerk re filing same.	2.70	270.00
05/08/03	Call to Holly Morgan re final comments to include in the appeal to the PCB on DaLee and finalizing Motion for Consolidation.	1.90	190.00
06/10/03	Preparation of Waiver of Statutory Decision Deadline and Notice of same in DaLee and letter to PCB clerk re same.	.30	30.00
07/02/03	Call from John Kim re DaLee to be heard in mid July and procedure for same.	.20	20.00
07/14/03	Call to Duane re DaLee hearing preparation.	.20	20.00
07/21/03	Review of file and administrative record in preparation for hearing before the PCB on DaLee.	2.00	200.00

	Call from John Kim re same. Call to Duane re preparation for hearing.		
07/22/03	Further review of administrative record in DaLee in preparation for hearing on 7/24/03. Call to Duane and Joe re same.	3.70	370.00
07/23/03	Final preparation for appeal hearing on DaLee.	2.00	200.00
07/24/03	Appearance in Springfield for appeal hearing in DaLee.	6.00	600.00
	<b>TOTAL</b>	<b>22.60</b>	<b>2,260.00</b>

Disbursements:

Clerk of Pollution Control Board; No. 03-118	\$75.00
Clerk of Pollution Control Board; No. 03-119	75.00
Clerk of Pollution Control Board; No. 03-150	75.00

**Total Fees and Disbursements** **\$2,485.00**