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MAR 29 2004

STATE OF ILLINOIS
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

GREAT LAKES DREDGE &
DOCK COMPANY, a New Jersey
Corporation,

Petitioner,

v.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Respondent.

PCB No. 04-143
(UST Appeal)

GREAT LAKES DREDGE &
DOCK COMPANY, a New Jersey
Corporation,

Petitioner,

v.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Respondent.

PCB No. 04-145
(UST Appeal)

NOTICE OF FILING

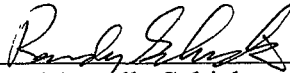
TO: Ms. Dorothy M. Gunn
Clerk of the Board
Illinois Pollution Control Board
100 West Randolph Street
Suite 11-500
Chicago, Illinois 60601
(VIA FIRST CLASS MAIL)

Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276
(VIA FIRST CLASS MAIL)

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board an original and nine copies of a **MOTION TO CONSOLIDATE**, copies of which are herewith served upon you.

Respectfully submitted,

GREAT LAKES DREDGE &
DOCK COMPANY,
Petitioner,

By: 
J. Randle Schick

Dated: March 26, 2004

J. Randle Schick
Of Counsel
HODGE DWYER ZEMAN
3150 Roland Avenue
Post Office Box 5776
Springfield, Illinois 62705-5776
(217) 523-4900

CERTIFICATE OF SERVICE


I, J. Randle Schick, the undersigned, certify that I have served the attached

MOTION TO CONSOLIDATE upon:

Ms. Dorothy M. Gunn
Clerk of the Board
Illinois Pollution Control Board
100 West Randolph Street
Suite 11-500
Chicago, Illinois 60601

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

by depositing said documents in the United States Mail in Springfield, Illinois, postage
prepaid, on March 26, 2004.



J. Randle Schick

GLDD:001/Fil/NOF – Motion to Consolidate

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ILLINOIS ENVIRONMENTAL
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Respondent.

MOTION TO CONSOLIDATE

NOW COMES Petitioner, GREAT LAKES DREDGE & DOCK COMPANY (“Petitioner”), by and through its attorneys, HODGE DWYER ZEMAN, and pursuant to 35 Ill. Admin. Code Part 101.406, hereby moves to consolidate an appeal (PCB 04-145) that is being filed on this date with another appeal (PCB 04-143) of the Illinois Environmental Protection Agency’s (“Agency”) determination that was filed on February 23, 2004. In support of this Motion, the Petitioner states as follows:

1. On February 23, 2004, Petitioner filed an appeal with the Illinois Pollution Control Board ("Board") regarding Petitioner's leaking underground storage tank ("UST") facility at 9320 South Ewing Avenue, Chicago, Cook County, which the Board assigned Docket Number PCB 04-143.

2. One additional UST appeal arising from the same site is being filed at the same time as this Motion to Consolidate.

3. Both appeals involve an Agency denial of cost reimbursement from the Leaking Underground Storage Tank Trust Fund to perform corrective action activities in regards to the same underground storage tanks formerly located at the above-referenced facility and owned by Great Lakes Dredge & Dock Company.

4. Both Agency determinations apply, therefore, to closely related facts.


5. Because the factual basis of the two petitions are closely related, consolidating both petitions will be more convenient to the Board, Agency and Petitioner. Consolidation will also result in a more expeditious and complete determination of the claims and would not cause material prejudice to any party. Further, consolidation of the claims will provide for a more efficient administration of justice and reduce duplication of efforts that would be required if the appeals were handled separately.

WHEREFORE, Petitioner, GREAT LAKES DREDGE & DOCK COMPANY,
respectfully asks that the Illinois Pollution Control Board consolidate its two Petitions for
Review of the Illinois Environmental Protection Agency's determinations.

Respectfully submitted,

GREAT LAKES DREDGE &
DOCK COMPANY,
Petitioner,

By: _____


J. Randle Schick

Dated: March 26, 2004

J. Randle Schick
Of Counsel
HODGE DWYER ZEMAN
3150 Roland Avenue
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