

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,
Respondent



John J. 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: May 3, 2004



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276, 217-782-3397
JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601, 312-814-6026

ROD R. BLAGOJEVICH, GOVERNOR RENEE CIPRIANO, DIRECTOR

217/782-6762

MAR 25 2004

*rec'd
March 29, 2004
cy*

The Premcor Refining Group, Inc.
Attention: Tim Mauntel
8182 Maryland Avenue
St. Louis, MO 63105

Re: LPC #1214220014 -- Marion County
Centralia/Clark Oil #848
625 North Elm
LUST Incident #920518
LUST FISCAL FILE

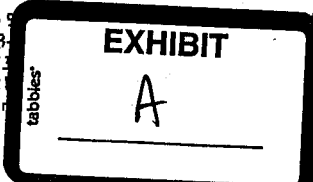
Dear Mr. Mauntel:

The Agency has completed the review of the request for reimbursement of corrective action costs from the Illinois Underground Storage Tank Fund for the above-referenced facility. The invoices reviewed covered the period from March 13, 1998 to August 31, 2003. The amount requested was \$69,938.91.

The deductible amount for this claim is \$10,000.00, which was previously deducted from the Invoice Voucher dated January 28, 1994. Listed in Attachment A are the costs which are not being reimbursed from this request and the reasons these costs are not being reimbursed.

On October 30, 2003, the Agency received your complete request for payment for this claim. As a result of the Agency's review of this claim, a voucher for \$55,695.13 will be prepared for submission to the Comptroller's Office for payment as funds become available based upon the date the Agency received your complete request for payment of this claim. Subsequent claims that have been/are submitted will be processed based upon the date complete subsequent billings requests are received by the Agency.

This constitutes the Agency's final action with regard to the above invoices. An underground storage tank owner or operator may appeal this final decision to the Illinois Pollution Control Board (Board) pursuant to Section 22.18b(g) and 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 of time not to exceed 90 days by written notice from the 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



Page 2

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:

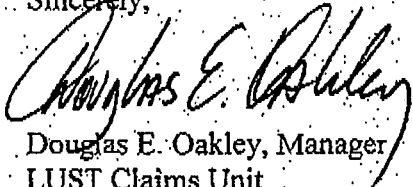
Dorothy Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center
100 West Randolph, Suite 11-500
Chicago, Illinois 60601
312/814-3620

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 Kevin Mably of my staff or Mohammed Rahman of Mike Lowder's staff at 217/782-6762.

Sincerely,



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

DEO:KM:jk0428311.doc

Attachment

cc: Environmental Management & Technologies, Inc.

Attachment A
Accounting Deductions

Re: LPC #1214220014 -- Marion County
Centralia/Clark Oil #848
625 North Elm
LUST Incident #920518.
LUST FISCAL FILE

<u>Item #</u>	<u>Description of Deductions</u>	
1.	\$3,369.59, deduction for an adjustment in costs due to a lack of supporting documentation (Section 22.18b(d)(4)(C) of the Environmental Protection Act).	
	Schreiber, Yonley & Assoc.-Invoice #19471	\$7.03 Need receipts-Field Purchases
	#19471	\$22.40 Need backup-Communication Exp.
	#19471	\$75.00 Need itemized breakdown-Bailers
	#19471	\$6.00 Need itemized breakdown-Gloves
	#19958	\$5.70 Need backup-Communication Exp.
	#20634	\$82.50 Need itemized breakdown-Bailers
	#20634	\$49.20 Need backup-Communication Exp.
	#22685	\$8.50 Need backup-Communication Exp.
	#22835	\$35.20 Need backup-Communication Exp.
	#22999	\$11.60 Need backup-Communication Exp.
	#23181	\$6.20 Need backup-Communication Exp.
	#23410	\$27.25 Need backup-Communication Exp.
	#24042	\$7.90 Need backup-Communication Exp.
	#24282	\$13.55 Need backup-Communication Exp.

Page 2

#24451	\$11.80	Need backup- Communication Exp.
#24627	\$6.70	Need backup- Communication Exp.
#24795	\$15.15	Need backup- Communication Exp.
#25121	\$63.85	Need backup- Communication Exp.
#25821	\$12.15	Need backup- Communication Exp.
#25453	\$26.95	Need backup- Communication Exp.
#25783	\$13.70	Need backup- Communication Exp.
#25941	\$34.70	Need backup- Communication Exp.
#26093	\$8.10	Need backup- Communication Exp.
#26255	\$96.05	Need backup- Communication Exp.
#26255	\$86.60	Need receipts-Field Purchases
#26432	\$30.25	Need backup- Communication Exp.
#27129	\$25.50	Need backup- Communication Exp.
#27088	\$10.51	Need receipts-Field Purchases
#27088	\$33.55	Need backup- Communication Exp.
#27337	\$2.00	Need breakdown-Mileage
#27337	\$57.30	Need backup- Communication Exp.
#27337	\$56.81	Need receipt-Mail
#28615	\$83.60	Need breakdown-Mileage
#28615	\$10.00	Need backup- Communication Exp.
#28816	\$6.88	Need receipts-Stock items
#29017	\$135.00	Need breakdown-Bailers
#29017	\$18.50	Need breakdown-Gloves
#29017	\$24.81	Need receipts-Field Purchases

Page 3

#29628 \$2,141.10 Need itemized breakdown-
Personnel

2. \$1,229.44, deduction in costs that the owner/operator failed to demonstrate were reasonable (Section 22.18b(d)(4)(C) of the Environmental Protection Act).

Schreiber, Yonley & Assoc.-Invoice #19471	\$40.00	Equipment
#19471	\$60.00	Personnel
#20634	\$40.00	Equipment
#25453	\$17.50	Meeting
#27088	\$21.25	Budget
#27088	\$15.00	Equipment
#27551	\$110.50	Meeting
#27551	\$176.80	Budget
#27797	\$165.10	Meeting
#22797	\$22.10	Budget
#28021	\$3.50	Personnel
#28419	\$6.30	Personnel
#28615	\$22.05	Personnel
#28816	\$44.20	Meeting
#29017	\$120.00	Equipment
#29196	\$40.00	Equipment
#29445	\$8.40	Personnel
#29765	\$12.60	Personnel
#30141	\$2.80	Personnel
MRK-Invoice #10268-1	\$215.00	Drilling
Env. Management & Tech.-Invoice #1856	\$4.64	Stock items
#1890	\$36.20	Stock items
#1917	\$17.50	Stock items
#1969	\$22.00	Stock items
#2016	\$6.00	Stock items

3. \$51.75, deduction for an adjustment in overnight mail charges (Section 22.18b(d)(4)(C) of the Environmental Protection Act).

Schreiber, Yonley & Assoc.-Invoice #25453 Mail

\$4,650.78 Total Accounting Deductions

Attachment A
Technical Deductions

Re: LPC #1214220014 -- Marion County
Centralia/Clark Oil #848
625 North Elm
LUST Incident #920518
LUST FISCAL FILE

- | <u>Item #</u> | <u>Description of Deductions</u> |
|---------------|---|
| 1. | \$700.00, invoice number 20634, dated December 14, 1998, deduction for an adjustment in personnel costs for report preparation due to a lack of supporting documentation (Section 22.18b(d)(4)(C) of the Environmental Protection Act). The Illinois EPA does not have any reports which document the work performed during December 1998. |
| 2. | \$4,622.00, invoice number 020819D-1, dated October 14, 2002, deduction for an adjustment in costs for drilling and well installation due to a lack of supporting documentation (Section 22.18b(d)(4)(C) of the Environmental Protection Act). The Illinois EPA does not have any documentation regarding the installation of a well during October 2002. |
| 3. | \$1,516.00, invoice number 1304808, dated October 21, 2002, deduction for an adjustment in costs for sample analysis due to a lack of supporting documentation (Section 22.18b(d)(4)(C) of the Environmental Protection Act). The Illinois EPA does not have any reports which document the results of laboratory analysis during October 2002. |
| 4. | \$2,439.00, invoice number 1305394, dated October 24, 2002, deduction for an adjustment in costs for sample analysis due to a lack of supporting documentation (Section 22.18b(d)(4)(C) of the Environmental Protection Act). The Illinois EPA does not have any reports which document the results of laboratory analysis during October 2002. |
| 5. | \$316.00, invoice number 1310589, dated December 3, 2002, deduction for an adjustment in costs for sample analysis due to a lack of supporting documentation (Section 22.18b(d)(4)(C) of the Environmental Protection Act). The Illinois EPA does not have any reports which document the results of laboratory analysis during November 2002. |

ENVIRONMENTAL MANAGEMENT & TECHNOLOGIES, INC.

April 20, 2004

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

SUBJECT: *LPC #1190405083 – Madison County
Granite City/Clark Oil #271
2005 Madison Avenue
LUST Incident #922207*

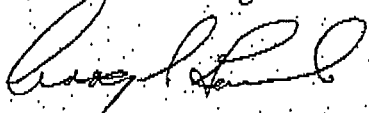
Dear Mr. Kim:

This letter is in regards to the Illinois Environmental Protection Agency's (Agency) final action letter dated April 5, 2004 in regards to a request for reimbursement of corrective action costs. As a result of the Agency's review of an October 17, 2003 reimbursement package for the above referenced site, costs were denied based on accounting justifications.

Environmental Management & Technologies, Inc. (EMT), on behalf of The Premcor Refining Group Inc. (Premcor), is requesting a 90-day extension to the 35-day appeal period (deadline of May 13, 2004), thus extending the deadline for filing an appeal to August 13, 2004. The additional time will be used to locate records of a previous consultant (backup documentation) to submit to IEPA-Fiscal for reconsideration of denied costs. A copy of the April 5, 2004 letter is attached as requested. This extension requested is being sent via facsimile. Please verify receipt of this letter via e-mail addressed to cgocker@emtusa.com. If you have any questions, please do not hesitate to contact me at 309/454-1717.

Sincerely,

Environmental Management & Technologies, Inc.



Craig S. Gocker, President

CSG/ml
EMT Job No. 1198

Cc: T. Mauntel, Premcor
Attachment

ENVIRONMENTAL MANAGEMENT & TECHNOLOGIES, INC.

April 20, 2004

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

SUBJECT: *LPC #1214220014 - Marion County
Centralia/Clark Oil #848
625 North Elm
LUST Incident #920518*

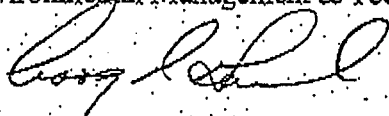
Dear Mr. Kim:

This letter is in regards to the Illinois Environmental Protection Agency's (Agency) final action letter dated March 25, 2004 in regards to a request for reimbursement of corrective action costs. As a result of the Agency's review of an October 30, 2003 reimbursement package for the above referenced site, costs were denied based on technical and accounting justifications.

Environmental Management & Technologies, Inc. (EMT), on behalf of The Premcor Refining Group Inc. (Premcor), is requesting a 90-day extension to the 35-day appeal period (deadline of May 3, 2004), thus extending the deadline for filing an appeal to August 3, 2004. The additional time will be used to locate records of a previous consultant (backup documentation) to submit to IEPA-Fiscal for reconsideration of denied costs. A copy of the March 25, 2004 letter is attached as requested. This extension requested is being sent via facsimile. Please verify receipt of this letter via e-mail addressed to cgocker@emtusa.com. If you have any questions, please do not hesitate to contact me at 309/454-1717.

Sincerely,

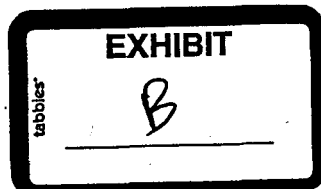
Environmental Management & Technologies, Inc.



Craig S. Gocker, President

CSG/nl
EMT Job No. 1200

Cc: T. Mauntel, Premcor
Attachment



CERTIFICATE OF SERVICE


I, the undersigned attorney at law, hereby certify that on May 3, 2004, 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 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

Craig Gocker, President
Environmental Management &
Technologies, Inc.
2012 West College Avenue
Suite 208
Normal, IL 61761

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,

Respondent



John J. 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)