

MAY 18 2004

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

STATE OF ILLINOIS
Pollution Control Board

IN THE MATTER OF:)	
)	
PROPOSED AMENDMENTS TO REGULATION OF)	R04-22
PETROLEUM LEAKING UNDERGROUND STORAGE)	(Rulemaking- Land)
TANKS (35 Ill. Adm. Code 732))	

IN THE MATTER OF:)	
)	
PROPOSED AMENDMENTS TO REGULATION OF)	R04-23
PETROLEUM LEAKING UNDERGROUND STORAGE)	(Rulemaking- Land)
TANKS (35 Ill. Adm. Code 734))	

NOTICE OF FILING

Dorothy Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph, Suite 11-500
Chicago, Illinois 60601-3218
(Facsimile and Overnight Mail)

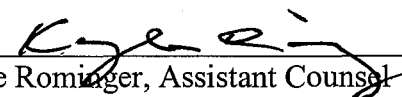
Marie Tipsord, Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph, Suite 11-500
Chicago, Illinois 60601-3218
(Facsimile and Overnight Mail)

SEE ATTACHED SERVICE LIST
(Regular Mail)

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board the ILLINOIS ENVIRONMENTAL PROTECTION AGENCY'S AMENDED MOTION FOR THE ADOPTION OF EMERGENCY RULES for the above-titled proceeding, a copy of which is herewith served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION
AGENCY

By: 
Kyle Rominger, Assistant Counsel

DATE: May 17, 2004
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276
(217) 782-5544

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD **MAY 18 2004**

STATE OF ILLINOIS
Pollution Control Board

IN THE MATTER OF:)
)
PROPOSED AMENDMENTS TO:) R04-22
REGULATION OF PETROLEUM) (Rulemaking – Land)
LEAKING UNDERGROUND STORAGE)
TANKS (35 ILL. ADM. CODE 732))

IN THE MATTER OF:)
)
PROPOSED AMENDMENTS TO:) R04-23
REGULATION OF PETROLEUM) (Rulemaking – Land)
LEAKING UNDERGROUND STORAGE)
TANKS (35 ILL. ADM. CODE 734))

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY'S
AMENDED MOTION FOR THE ADOPTION OF EMERGENCY RULES

NOW COMES the Illinois Environmental Protection Agency ("Illinois EPA"), by and through its attorney Kyle Rominger, and submits this Amended Motion for the Adoption of Emergency Rules. On April 19, 2004, the Illinois EPA filed its original Motion for the Adoption of Emergency Rules ("original Motion"). In that Motion the Illinois EPA requested that the Illinois Pollution Control Board ("Board") adopt in an emergency rulemaking the Illinois EPA's proposed amendments to 35 Ill. Adm. Code 732 and the proposed 35 Ill. Adm. Code 734. The Illinois EPA now requests in this Amended Motion that the Board adopt in the emergency rulemaking the proposed amendments contained in this Amended Motion instead of the amendments proposed in its original Motion.

The proposed rules contained in this Amended Motion have been developed jointly by the Illinois EPA and the Professionals of Illinois for the Protection of the

Environment (“PIPE”) in order to facilitate the processing of plans, budgets, and applications for payment prior to the Board’s adoption of final rules in this rulemaking proceeding. It is the Illinois EPA’s understanding that, in conjunction with this submission of this Amended Motion, PIPE, and its members CW³M and United Science Industries, will withdraw their objections to the Illinois EPA’s original Motion and that PIPE will submit a motion in support of the proposed amendments contained herein. Please note that the amendments contained in this Amended Motion are an agreed to compromise for the purposes of emergency rules only, and that they do not reflect a change in the parties’ positions on the proposed final rules in this rulemaking proceeding.

As stated in the Illinois EPA’s original Motion, emergency rules are needed to provide a standard methodology for determining the reasonableness of costs submitted to the Agency for approval. Since the Ayers case, the Illinois EPA has struggled to develop a new method for determining the reasonableness of the myriad costs it reviews. However, finding one that provides the necessary consistency needed to fairly administer the UST Fund, and that allows an efficient and timely processing of the high volume of budgets and applications for payment received by the Illinois EPA, has proved difficult. Any such method would necessarily be generally applicable, and therefore could not be implemented until adopted as a rule.

The Illinois EPA has recently resumed its processing of budgets and applications for payment on a case-by-case basis. However, without rules to govern how to determine the reasonableness of costs, the Illinois EPA’s ability to control costs and maintain consistent and fair reviews is limited. Based on recent submissions, the Illinois EPA estimates that without the use of the rates sheets, up to an additional one million dollars a

month or more may be paid out of the UST Fund. Independent of these additional costs, as early as September of this year the UST Fund is projected to reach a point where payments will be made only as money becomes available. The balance in the UST Fund is continually decreasing over time because payments from the Fund exceed income. If emergency rules are not adopted to replace the rate sheets, the balance in the UST Fund is expected to decrease at an even faster rate and the time when the Illinois EPA can make payments only as money becomes available will be expected to arrive sooner than September.

Emergency rules will provide some cost containment measures by establishing a benchmark for rates via a limited rate sheet and a nationally recognized construction cost manual, in addition to the Licensed Professional Engineer or Licensed Professional Geologist certification. Owners and operators will continue to receive reimbursement from the UST Fund, and the Illinois EPA will have a standard methodology for reviewing costs that provides consistency and fairness from site to site.

As stated in the Illinois EPA's original Motion, the Illinois EPA believes the adoption of the proposed rules in an emergency rulemaking is proper given the current circumstances. The Board has the authority to adopt emergency rules when there is a situation that "reasonably constitutes a threat to the public interest, safety, or welfare." 5 ILCS 100/5-45; 415 ILCS 5/27(c); 35 Ill. Adm. Code 102.612. The Illinois EPA's limited ability to control costs and maintain consistent and fair reviews of budgets and applications for payment satisfies these criteria. Approvals of budgets and applications for payment drive the remediation of many Leaking Underground Storage Tanks ("LUST") sites. Many owners and operators cannot afford the costs to remediate a LUST

site on their own, and many that can afford such costs are hesitant to proceed unless they know the costs will be reimbursed from the UST Fund. If the UST Fund is depleted because the Illinois EPA cannot adequately control costs and maintain consistent and fair reviews, cleanups at many LUST sites will dramatically slow or not proceed and the contamination at these sites will continue to threaten human health and the environment.

The Illinois EPA respectfully requests that the Board adopt the proposed rules in this Amended Motion as soon as possible. The Illinois EPA further respectfully requests that the Board proceed with its adoption of final rules as quickly as possible so the Illinois EPA can review budgets and applications for payment pursuant to the final rules once the emergency rules expire.

PROPOSED AMENDMENTS TO 35 ILL. ADM. CODE 732
FOR THE REQUESTED EMERGENCY RULEMAKING

Section 732.505 Standards for Review of Plans or Reports

- a) A full technical review shall consist of a detailed review of the steps proposed or completed to accomplish the goals of the plan and to achieve compliance with the Act and regulations. Items to be reviewed, if applicable, shall include, but not be limited to, number and placement of wells and borings, number and types of samples and analysis, results of sample analysis, and protocols to be followed in making determinations. The overall goal of the technical review for plans shall be to determine if the plan is sufficient to satisfy the requirements of the Act and regulations and has been prepared in accordance with generally accepted engineering practices. The overall goal of the technical review for reports shall be to determine if the plan has been fully implemented in accordance with generally accepted engineering practices, if the conclusions are consistent with the information obtained while implementing the plan, and if the requirements of the Act and regulations have been satisfied.

- b) If the Licensed Professional Engineer or Licensed Professional Geologist certifies that there is no evidence that, through natural or manmade pathways, migration of petroleum or vapors threaten human health or human safety or may cause explosions in basements, crawl spaces, utility conduits, storm or sanitary sewers, vaults or other confined spaces, the Licensed Professional Engineer's or Licensed Professional Geologist's

certification to that effect shall be presumed correct unless the Agency's review reveals objective evidence to the contrary.

- c) A full financial review shall consist of a detailed review of the costs associated with each element necessary to accomplish the goals of the plan as required pursuant to the Act and regulations. Items to be reviewed shall include, but not be limited to, costs associated with any materials, activities or services that are included in the budget plan. The overall goal of the financial review shall be to assure that costs associated with materials, activities and services shall be reasonable, shall be consistent with the associated technical plan, shall be incurred in the performance of corrective action activities, and shall not be used for corrective action activities in excess of those necessary to meet the minimum requirements of the Act and regulations.

d) During the effective period of this emergency rule, the following shall apply:

1) For all budgets, plans, amendments, and applications for payment that were submitted prior to the effective date of this emergency rule and that are still subject to Agency review, the Agency shall approve all budgets, plans, amendments, and costs certified as reasonable by a Licensed Professional Engineer or Licensed Professional Geologist as required by law. All costs that are contained within a budget or a plan that is approved pursuant to this Section shall be approved by the Agency without further review.

2) For all budgets, plans, amendments, and applications for payment that are not subject to subsection (d)(1) of this Section and that are submitted for approval during the effective period of this emergency rule, the following shall be presumed to be reasonable:

A) The costs identified in Sections 732.APPENDIX D and 732.APPENDIX E of this Part;

B) For costs not identified in Sections 732.APPENDIX D and 732.APPENDIX E of this Part, the applicable amounts calculated in accordance with the following RS Means publications: Environmental Cost Handling Options and Solutions (ECHOS) "Environmental Remediation Cost Data – Unit Price," 10th Annual Edition, 2004, and ECHOS "Environmental Remediation Cost Data – Assemblies," 10th Annual Edition, 2004.

C) For costs that are not identified in Sections 732.APPENDIX D and 732.APPENDIX E of this Part and

that cannot be calculated using the publications listed in subsection (d)(2)(B) of this Section, costs based upon current market prices which the owner or operator shall identify with objective evidence, such as, but not limited to, catalogue or vendor information, in accordance with the Licensed Professional Engineer or Licensed Professional Geologist certification. Such evidence shall be clearly identified in the submittal to the Agency.

3) All requests for approval of costs shall be certified by the owner or operator and the Licensed Professional Engineer or Licensed Professional Geologist. The certification shall be in a format prescribed and provided by the Agency, and shall include the following:

- A) Identification of the site and the work on which the costs are based;
- B) Affirmation that, to the best knowledge and belief of the owner or operator and the Licensed Professional Engineer or Licensed Professional Geologist, the work on which the costs are based are consistent with the requirements of Title XVI of the Act, and that the time and materials are consistent with generally accepted engineering and geology practices;
- C) Affirmation that, to the best knowledge and belief of the owner or operator and the Licensed Professional Engineer or Licensed Professional Geologist, the costs do not include costs that are not eligible for payment from the Fund;
- D) Affirmation that, to the best knowledge and belief of the owner or operator and the Licensed Professional Engineer or Licensed Professional Geologist, the costs are reasonable as determined in accordance with subsection (d)(2) of this Section, and, if any costs contained in the submittal exceed the costs set forth in subsection (d)(2), a specific delineation of each such cost and a specific justification for the deviation.
- E) Affirmation that all information submitted under the certification is, to the best knowledge and belief of the owner or operator and the Licensed Professional Engineer or Licensed Professional Geologist, true, accurate, and complete.

- F) Affirmation of knowledge that there are significant penalties for submitting false statements or representations to the Agency, including, but not limited to, fines, imprisonment, or both as provided in Sections 44 and 57.17 of the Act.
- 4) The Agency is authorized to accept the certification submitted pursuant to subsection (d)(3) of this Section as a presumption of reasonableness for all work and costs contained in such submittal.
- 5) Where the Agency anticipates denying, modifying, or rejecting any [JPK1] portion of a submitted budget, plan, amendment, or application for payment, the Agency shall contact the owner or operator in writing and provide the owner or operator an opportunity to waive the Agency's review deadline for 60 days. If, within seven days of the date of the Agency's letter, such a waiver is granted, the Agency shall notify the owner or operator in writing of the specific reasons for the anticipated action and provide the owner or operator an opportunity to address and correct the reasons for the anticipated action within 21 days of the date of the Agency's notice. The Agency shall issue a final determination on the budget, plan, amendment, or application for payment within 21 days of its receipt of the owner's or operator's response to the notice, or after the expiration of the time for submitting a response if no response is submitted.

* * *

Section 732.APPENDIX D Allowable Unit Rates

a) Soil Removal and Disposal

Costs associated with soil removal, transportation, disposal and backfill shall not exceed the amounts set forth below, unless demonstrated under 732.505(d)(3)(D). Such costs shall include, but not be limited to, those associated with the removal, transportation, and disposal of contaminated soil exceeding the applicable remediation objectives or visibly contaminated fill removed pursuant to this Part, and the purchase, transportation, and placement of material used to backfill the resulting excavation.

- 1) \$60.00 per cubic yard for removal, transportation, and disposal of contaminated soil identified above and shall include concrete, asphalt or paving overlaying the contaminated soil or fill.
- 2) \$21.00 per cubic yard for purchase, transportation, and placement of material used to backfill the excavation resulting from the removal and disposal of soil or fill.

3) \$7.00 per cubic yard for removal and subsequent return of soil that does not exceed the applicable remediation objectives but whose removal is required in order to conduct corrective action.

b) Drum Disposal

Costs associated with the purchase, transportation, and disposal of 55-gallon drums containing waste generated as a result of corrective action (e.g., boring cuttings, water bailed for well development or sampling, hand-bailed free product) shall not exceed the following amounts or a total of \$500.00, whichever is greater, unless demonstrated under 732.505(d)(3)(D).

1) \$296.00 per drum for solid waste.

2) \$178.00 per drum for liquid waste.

c) Concrete, Asphalt, and Paving

For costs associated with concrete, asphalt, and paving, the applicable amounts calculated in accordance with the following RS Means publication shall be presumed to be reasonable: "Building Construction Cost Data," 62nd Annual Edition, 2004.

1) Costs associated with concrete, asphalt, and paving installed as an engineered barrier shall not exceed the applicable amounts for four inches of asphalt or paving, unless demonstrated under 732.505(d)(3)(D). This subsection (c)(1) does not apply to replacement concrete, asphalt, or paving that is used as an engineered barrier.

2) Costs associated with the replacement of concrete, asphalt, and paving shall not exceed the applicable amounts for replacement with the same material, unless demonstrated under 732.505(d)(3)(D).

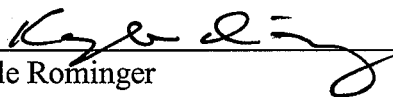
Section 732.APPENDIX E Personnel Titles and Rates¹

<u>Title</u>	<u>Degree Required</u>	<u>III. License Req'd.</u>	<u>Min. Yrs. Experience</u>	<u>Max. Hourly Rate</u>
<u>Engineer I</u>	<u>Bachelor's in Engineering</u>	<u>None</u>	<u>0</u>	<u>\$74.00</u>
<u>Engineer II</u>	<u>Bachelor's in Engineering</u>	<u>None</u>	<u>2</u>	<u>\$82.00</u>
<u>Engineer III</u>	<u>Bachelor's in Engineering</u>	<u>None</u>	<u>4</u>	<u>\$90.00</u>
<u>Engineer IV</u>	<u>Bachelor's in Engineering</u>	<u>None</u>	<u>6</u>	<u>\$100.00</u>
<u>Professional Engineer</u>	<u>Bachelor's in Engineering</u>	<u>P.E.</u>	<u>4</u>	<u>\$115.00</u>
<u>Professional Engineer II</u>	<u>Bachelor's in Engineering</u>	<u>P.E.</u>	<u>6</u>	<u>\$119.00</u>
<u>Senior Prof. Engineer</u>	<u>Bachelor's in Engineering</u>	<u>P.E.</u>	<u>8</u>	<u>\$137.00</u>
<u>Geologist I</u>	<u>Bachelor's in Geology or Hydrogeology</u>	<u>None</u>	<u>0</u>	<u>\$74.00</u>
<u>Geologist II</u>	<u>Bachelor's in Geology or Hydrogeology</u>	<u>None</u>	<u>2</u>	<u>\$82.00</u>
<u>Geologist III</u>	<u>Bachelor's in Geology or Hydrogeology</u>	<u>None</u>	<u>4</u>	<u>\$90.00</u>
<u>Geologist IV</u>	<u>Bachelor's in Geology or Hydrogeology</u>	<u>None</u>	<u>6</u>	<u>\$100.00</u>
<u>Professional Geologist</u>	<u>Bachelor's in Geology or Hydrogeology</u>	<u>P.G.</u>	<u>4</u>	<u>\$115.00</u>
<u>Professional Geologist II</u>	<u>Bachelor's in Geology or Hydrogeology</u>	<u>P.G.</u>	<u>6</u>	<u>\$119.00</u>
<u>Senior Prof. Geologist</u>	<u>Bachelor's in Geology or Hydrogeology</u>	<u>P.G.</u>	<u>8</u>	<u>\$137.00</u>
<u>Scientist I</u>	<u>Bachelor's in a Natural or Physical Science</u>	<u>None</u>	<u>0</u>	<u>\$60.00</u>
<u>Scientist II</u>	<u>Bachelor's in a Natural or Physical Science</u>	<u>None</u>	<u>2</u>	<u>\$65.00</u>
<u>Scientist III</u>	<u>Bachelor's in a Natural or Physical Science</u>	<u>None</u>	<u>4</u>	<u>\$70.00</u>
<u>Scientist IV</u>	<u>Bachelor's in a Natural or Physical Science</u>	<u>None</u>	<u>6</u>	<u>\$75.00</u>
<u>Senior Scientist</u>	<u>Bachelor's in a Natural or Physical Science</u>	<u>None</u>	<u>8</u>	<u>\$85.00</u>
<u>Project Manager I</u>	<u>None</u>	<u>None</u>	<u>4²</u>	<u>\$90.00</u>
<u>Project Manager II</u>	<u>None</u>	<u>None</u>	<u>8²</u>	<u>\$95.00</u>
<u>Senior Project Manager</u>	<u>None</u>	<u>None</u>	<u>12²</u>	<u>\$100.00</u>
<u>Technician I</u>	<u>None</u>	<u>None</u>	<u>0</u>	<u>\$50.00</u>
<u>Technician II</u>	<u>None</u>	<u>None</u>	<u>2²</u>	<u>\$55.00</u>
<u>Technician III</u>	<u>None</u>	<u>None</u>	<u>4²</u>	<u>\$60.00</u>
<u>Technician IV</u>	<u>None</u>	<u>None</u>	<u>6²</u>	<u>\$65.00</u>
<u>Senior Technician</u>	<u>None</u>	<u>None</u>	<u>8²</u>	<u>\$70.00</u>
<u>Account Technician I</u>	<u>None</u>	<u>None</u>	<u>0</u>	<u>\$40.00</u>
<u>Account Technician II</u>	<u>None</u>	<u>None</u>	<u>2³</u>	<u>\$45.00</u>
<u>Account Technician III</u>	<u>None</u>	<u>None</u>	<u>4³</u>	<u>\$50.00</u>
<u>Account Technician IV</u>	<u>None</u>	<u>None</u>	<u>6³</u>	<u>\$55.00</u>
<u>Senior Acct. Technician I</u>	<u>None</u>	<u>None</u>	<u>8³</u>	<u>\$60.00</u>
<u>Administrative Assistant I</u>	<u>None</u>	<u>None</u>	<u>0</u>	<u>\$30.00</u>
<u>Administrative Assistant II</u>	<u>None</u>	<u>None</u>	<u>2⁴</u>	<u>\$35.00</u>
<u>Administrative Assistant III</u>	<u>None</u>	<u>None</u>	<u>4⁴</u>	<u>\$40.00</u>
<u>Administrative Assistant IV</u>	<u>None</u>	<u>None</u>	<u>6⁴</u>	<u>\$42.50</u>
<u>Senior Admin. Assistant I</u>	<u>None</u>	<u>None</u>	<u>8⁴</u>	<u>\$45.00</u>
<u>Draftperson/CAD I</u>	<u>None</u>	<u>None</u>	<u>0</u>	<u>\$40.00</u>
<u>Draftperson/CAD II</u>	<u>None</u>	<u>None</u>	<u>2⁵</u>	<u>\$45.00</u>
<u>Draftperson/CAD III</u>	<u>None</u>	<u>None</u>	<u>4⁵</u>	<u>\$50.00</u>
<u>Draftperson/CAD IV</u>	<u>None</u>	<u>None</u>	<u>6⁵</u>	<u>\$55.00</u>
<u>Senior Draftperson/CAD</u>	<u>None</u>	<u>None</u>	<u>8⁵</u>	<u>\$60.00</u>

- ¹ For budgets submitted or work performed prior to the effective date of this emergency rule, personnel that may not strictly meet the experience or education requirements provided above shall be allowed to bill at the labor category that most closely corresponds with their duties.
- ² Equivalent work-related or college level education with significant coursework in the physical, life, or environmental sciences can be substituted for all or part of the specified experience requirements.
- ³ Equivalent work-related or college level education with significant coursework in accounting or business can be substituted for all or part of the specified experience requirements.
- ⁴ Equivalent work-related or college level education with significant coursework in administrative or secretarial services can be substituted for all or part of the specified experience requirements.
- ⁵ Equivalent work-related or college level education with significant coursework in drafting or computer aided design ("CAD") can be substituted for all or part of the specified experience requirements.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY



Kyle Rominger
Assistant Counsel

DATED: May 17, 2004
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276
(217) 782-5544

STATE OF ILLINOIS)
) SS
COUNTY OF SANGAMON)

PROOF OF SERVICE

I, the undersigned, on oath state that I have served the attached ILLINOIS ENVIRONMENTAL PROTECTION AGENCY'S AMENDED MOTION FOR THE ADOPTION OF EMERGENCY RULES on behalf of the Illinois Environmental Protection Agency upon the person to whom it is directed, by placing a copy in an envelope addressed to:

Dorothy Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph, Suite 11-500
Chicago, Illinois 60601
(Facsimile and Overnight Mail)

Marie Tipsord, Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph, Suite 11-500
Chicago, Illinois 60601
(Facsimile and Overnight Mail)

SEE ATTACHED SERVICE LIST
(Regular Mail)

and mailing it from Springfield, Illinois, on May 17, 2004, with sufficient postage affixed as indicated above.

Shannon Biebruck

SUBSCRIBED AND SWORN TO BEFORE ME

this 17th day of May, 2004

Brenda Boehner
Notary Public



STATE OF ILLINOIS)
) SS
COUNTY OF SANGAMON)

PROOF OF SERVICE

I, the undersigned, on oath state that I have served the attached ILLINOIS ENVIRONMENTAL PROTECTION AGENCY'S AMENDED MOTION FOR THE ADOPTION OF EMERGENCY RULES on behalf of the Illinois Environmental Protection Agency upon the person to whom it is directed, by placing a copy in an envelope addressed to:

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Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph, Suite 11-500
Chicago, Illinois 60601
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SEE ATTACHED SERVICE LIST
(Regular Mail)

and mailing it from Springfield, Illinois, on May 17, 2004, with sufficient postage affixed as indicated above.

Shannon Biebruck

SUBSCRIBED AND SWORN TO BEFORE ME

this 17th day of May, 2004

Brenda Boehner
Notary Public



<u>Environmental Consulting & Engineering, Inc.</u> Interested Party	551 Roosevelt Road #309 Richard Andros, P.E.	Glenn Ellyn IL 60137	
<u>MACTEC Engineering & Consulting, Inc.</u> Interested Party	8901 N. Industrial Road Terrence W. Dixon, P.G.	Peoria IL 61615	
<u>Illinois Department of Transportation</u> Interested Party	2300 Dirksen Parkway Steven Gobelman	Springfield IL 62764	
<u>SEECO Environmental Services, Inc.</u> Interested Party	7350 Duvon Drive Collin W. Gray	Tinley Park IL 60477	
<u>Herlacher Angleton Associates, LLC</u> Interested Party	522 Belle Street Jennifer Goodman	Alton IL 62002	
<u>United Environmental Consultants, Inc.</u> Interested Party	119 East Palatin Road Suite 101 George F. Moncek	Palatine IL 60067	
<u>McGuire Woods LLP</u> Interested Party	77 W. Wacker Suite 4400 David Rieser	Chicago IL 60601	
<u>Greensfelder, Hemker & Gale</u> Interested Party	10 S. Broadway Suite 2000 Tina Archer, Attorney	St. Louis MO 63104	314-241-9090
<u>Midwest Engineering Services, Inc.</u> Interested Party	4243 W. 166th Street Erin Curley, Env. Department Manager	Oak Forest IL 60452	708-535-9981
<u>American Environmental Corp.</u> Interested Party	3700 W. Grand Ave., Suite A Ken Miller, Regional Manager	Springfield IL 62707	(217) 585-9517
<u>Applied Environmental Solutions, Inc.</u> Interested Party	P O Box 1225 Russ Goodiel, Project Manager	Centralia IL 62801	6185335953
<u>Secor International, Inc.</u> Interested Party	400 Bruns Lane Daniel J. Goodwin	Springfield IL 62702	
<u>Caterpillar, Inc.</u> Interested Party	100 NE Adams Street Eric Minder, Sr. Environmental Engineer	Peoria IL 61629	3096751658
<u>K-Plus Environmental</u> Interested Party	Suite 1000 600 W. Van Buren Street Daniel Caplice	Chicago IL 60607	312-207-1600
<u>Illinois Society of Professional Engineers</u> Interested Party	300 West Edwards Kim Robinson Brittan Bolin	Springfield IL 62704	217-544-7424 217-525-6239

Total number of participants: 52

Huff & Huff, Inc. Interested Party	512 West Burlington Avenue Suite 100 James E. Huff, P.E.	LaGrange IL 60525	
Black & Veatch Interested Party	101 North Wacker Drive Suite 1100 Scott Anderson	Chicago IL 60606	
Claire A. Manning Interested Party	111 N. Sixth Street Claire A. Manning, Posegate & Denes	Springfield IL 62701	217-522-6152
Marlin Environmental, Inc. Interested Party	1000 West Spring Street Melanie LoPiccolo, Office Manager	South Elgin IL 60177	847-468-8855
Terracon Interested Party	870 40th Avenue Brian Porter	Bettendorf IA 52722	(563) 355-0702
Illinois Department of Natural Resources Interested Party	One Natural Resources Way Jonathan Furr, General Counsel	Springfield IL 62702-1271	217/782-1809 217/524-9640
Posegate & Denes, P.C. Interested Party	111 N. Sixth Street Claire A. Manning, Attorney	Springfield IL 62705	217/522-6152 217/522-6184
EcoDigital Development LLC Interested Party	PO Box 360 6295 East Illinois Hwy 15 Joe Kelly, VP Engineering	Woodlawn IL 62898	(618) 735-2411
Wendler Engineering Services, Inc. Interested Party	1770 West State Street Glen Lee, Manager	Sycamore IL 60178	815-895-5008
Great Lakes Analytical Interested Party	1380 Busch Parkway A.J Pavlick	Buffalo Grove IL 60089	(847) 808-7766
CSD Environmental Services, Inc Interested Party	2220 Yale Boulevard Joseph W. Truesdale, P.E.	Springfield IL 62703	217-522-4085
CORE Geological Services, Inc. Interested Party	2621 Monetga, Suite C Ron Dye, President	Springfield IL 62704	217-787-6109
Clayton Group Services Inc Interested Party	3140 Finley Road Monte Nienkerk	Downers Grove IL 60515	630.795.3207
PDC Laboratories Interested Party	2231 W. Altorfer Dr. Kurt Stepping, Director of Client Services	Peoria il 61615	309-692-9688
Atwell-Hicks, Inc. Interested Party	940 East Diehl Road Suite 100 Thomas M. Guist, PE, Team Leader	Naperville IL 60563	630 5770800
CW3M Company, Inc. Interested Party	701 South Grand Ave. West Jeff Wienhoff	Springfield IL 62704	217-522-8001
Suburban Laboratories, Inc. Interested Party	4140 Litt Drive Jarrett Thomas, V.P.	Hillside IL 60162	708-544-3260
United Science Industries, Inc. Interested Party	6295 East Illinois Hwy 15 Dan King, Team Leader	Woodlawn IL 62898	618-735-2411 e



Party Name	Role	City & State	Phone/Fax
IEPA Petitioner	1021 North Grand Avenue East P.O. Box 19276 Gina Roccaforte, Assistant Counsel Kyle Rominger, Assistant Counsel Doug Clay	Springfield IL 62794-9276	217/782-5544 217/782-9807
Hodge Dwyer Zeman Interested Party	3150 Roland Avenue Post Office Box 5776 Thomas G. Safley	Springfield IL 62705-5776	217/523-4900 217/523-4948
Sidley Austin Brown & Wood Interested Party	Bank One Plaza 10 South Dearborn Street William G. Dickett	Chicago IL 60603	312/853-7000 312/953-7036
Karaganis & White, Ltd. Interested Party	414 North Orleans Street Suite 810 Barbara Magel	Chicago IL 60610	312/836-1177 312/836-9083
Illinois Petroleum Marketers Association Interested Party	112 West Cook Street Bill Fleischi	Springfield IL 62704	217/793-1858
United Science Industries, Inc. Interested Party	P.O. Box 360 6295 East Illinois Highway 15 Joe Kelly, PE	Woodlawn IL 62898-0360	618/735-2411 618/735-2907
Illinois Environmental Regulatory Group Interested Party	3150 Roland Avenue Robert A. Messina, General Counsel	Springfield IL 62703	217/523-4942 217/523-4948
Carlson Environmental, Inc. Interested Party	65 E. Wacker Place Suite 1500 Kenneth James	Chicago IL 60601	
Chemical Industry Council of Illinois Interested Party	2250 E. Devon Avenue Suite 239 Lisa Frede	DesPlaines IL 60018-4509	
Barnes & Thornburg Interested Party	1 North Wacker Drive Suite 4400 Carolyn S. Hesse, Attorney	Chicago IL 60606	312/357-1313 312/759-5646
Rapps Engineering & Applied Science Interested Party	821 South Durkin Drive P.O. Box 7349 Michael W. Rapps	Springfield IL 62791-7349	217/787-2118 217/787-6641
Environmental Management & Technologies Interested Party	2012 West College Avenue Suite 208 Craig S. Gocker, President	Normal IL 61761	309/454-1717 309/454-2711
Office of the Attorney General Interested Party	Environmental Bureau 188 West Randolph, 20th Floor Joel J. Sternstein, Assistant Attorney Genera	Chicago IL 60601	312/814-2550 312/814-2347
Herlacher Angleton Associates, LLC Interested Party	8731 Bluff Road Tom Herlacher, P.E., Principal Engineer	Waterloo IL 62298	618/935-2262 618/935-2694
Illinois Pollution Control Board Interested Party	100 W. Randolph St. Suite 11-500 Dorothy M. Gunn, Clerk of the Board Marie Tipsord, Hearing Officer	Chicago IL 60601	3128143956