

RECEIVED
CLERK'S OFFICE

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD JUN 02 2004

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

NOTICE OF FILING

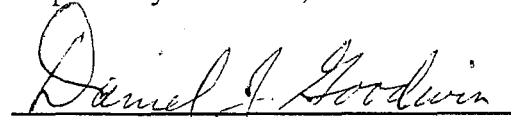
Dorothy Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph, Suite 11-500
Chicago, Illinois 60601-3218

Marie Tipsord
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph, Suite 11-500
Chicago, Illinois 60601-3218

SEE ATTACHED SERVICE LIST

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board the Response of the Consulting Engineers Council of Illinois to the Illinois Environmental Protection Agency's Amended Motion for Emergency Rules, a copy of which is herewith served upon you.

Respectfully submitted,

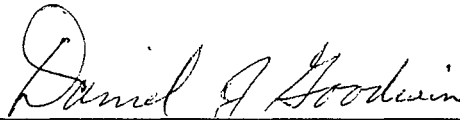


Daniel J. Goodwin, P.E.
SECOR International, Incorporated
400 Bruns Lane
Springfield, Illinois 62702
(217) 698-7247

Date: June 1, 2004

CERTIFICATE OF SERVICE

I hereby certify that the attached Response of the Consulting Engineers Council of Illinois to the Illinois Environmental Protection Agency's Amended Motion for Emergency Rules will be served on the individuals on the attached Service List by placing a copy in an envelope addressed to the address shown with first class postage affixed and mailing prior to 5:00 p.m. on June 2, 2004.

A handwritten signature in cursive script, reading "Daniel J. Goodwin". The signature is written in black ink and is positioned above a horizontal line.

Daniel J. Goodwin, P.E.

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**RESPONSE OF THE CONSULTING ENGINEERS COUNCIL OF ILLINOIS TO
THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY'S
AMENDED MOTION FOR EMERGENCY RULES**

The Consulting Engineers Council of Illinois ("CECI") hereby responds to the Illinois Environmental Protection Agency's Amended Motion for Emergency Rules as follows:

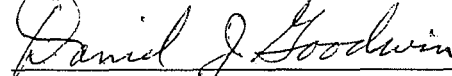
1. On May 17, 2004, the Illinois Environmental Protection Agency ("Agency") filed its Amended Motion for the Adoption of Emergency Rules, following discussions with interested groups, including CECI, of its original Motion to Adopt Emergency Rules.
2. CECI supports the Agency's amended motion and recommends that the Pollution Control Board adopt the Agency's amended proposal at its next meeting.
3. It is CECI's view that the subject proposal will serve satisfactorily as an interim guide for the Agency's decision-making on LUST budgets and reimbursement

requests until the ongoing process for adoption of revised permanent rules is carried to completion.

4. While there are some aspects of the subject proposal CECI believes could be improved, we believe it is important to adopt interim rules as soon as practicable, rather than leave the Agency without the guidance it says it needs. Therefore, CECI prefers to pursue further refinements as part of the permanent rules, and will do so as the hearings continue.

5. CECI believes the Board can appropriately adopt the Agency's amended proposal as emergency rules because it is in the public interest that the Agency be given formal guidelines for determining reasonableness of LUST costs for reimbursement purposes, and that those guidelines be known to all interested parties.

Respectfully submitted,



Daniel J. Goodwin, P.E.

Vice President

Consulting Engineers Council of Illinois

June 1, 2004