

BEFORE THE POLLUTION CONTROL BOARD
OF THE STATE OF ILLINOIS

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NOV 29 2004

STATE OF ILLINOIS
Pollution Control Board

VILLAGE OF CRAINVILLE,)
Petitioner,)
v.)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
Respondent.)

PCB No. 05- 102
(LUST Appeal - Ninety Day Extension)

NOTICE

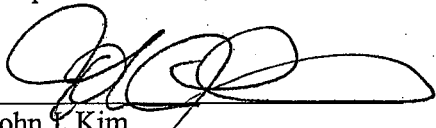
Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street
Suite 11-500
Chicago, IL 60601

John Kroeger, Project Manager
United Science Industries
P.O. Box 360
6295 East Illinois Highway 15
Woodlawn, IL 62898-0360

PLEASE TAKE NOTICE that I have today filed with the office of the Clerk of the Pollution Control Board a REQUEST FOR NINETY DAY EXTENSION OF APPEAL PERIOD, copies of which are herewith served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,
Respondent



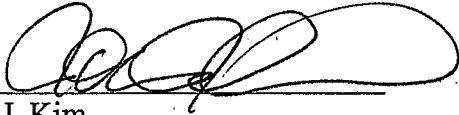
John S. Kim
Assistant Counsel
Special Assistant Attorney General
Division of Legal Counsel
1021 North Grand Avenue, East
P.O. Box 19276
Springfield, Illinois 62794-9276
217/782-5544
217/782-9143 (TDD)
Dated: November 24, 2004

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: November 24, 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

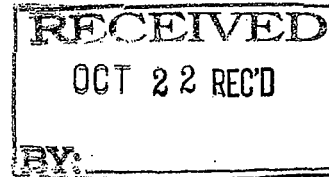
217/782-6762

CERTIFIED MAIL

OCT 21 2004

7002 3150 0000 1258 6334

Village of Crainville
1205 Main Street
Carterville, IL 62918



Re: LPC #1990155024 – Williamson County
Carterville/Village of Crainville
1205 Main Street
LUST Incident No. 983135
LUST Technical File

Dear Mr. Wiggs:

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the amendment to the Site Classification Work Plan Budget submitted for the above-referenced incident. The Illinois EPA received this amendment, dated July 2004, on August 3, 2004. Citations in this letter are from the Environmental Protection Act (Act) and 35 Illinois Administrative Code (35 Ill. Adm. Code).

The amendment to the Site Classification Work Plan Budget is modified pursuant to 35 Ill. Adm. Code 732.305(c) and Section 57.7(a)(1) of the Act. Based on the modifications listed in Section 2 of Attachment A, the amounts listed in Section 1 of Attachment A are approved.

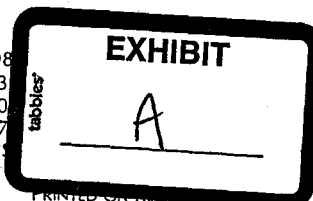
Please note that the costs must be incurred in accordance with the approved Site Classification Work Plan. Be aware that the amount of reimbursement may be limited by Sections 57.8(e), 57.8(g), and 57.8(d) of the Act, as well as 35 Ill. Adm. Code 732.604, 732.606(s) and 732.611.

If the owner or operator agrees with the Illinois EPA's modifications, submittal of an amendment to the Site Classification Work Plan Budget is not required (Section 57.7(c)(4) of the Act and 35 Ill. Adm. Code 732.503(f)).

If the owner or operator chooses to submit an amendment to the Site Classification Work Plan Budget, the amendment must be submitted and approved prior to the issuance of a No Further Remediation (NFR) Letter. Costs associated with an amendment that has not been approved prior to the issuance of an NFR Letter will not be reimbursable.

An underground storage tank system owner or operator may appeal this decision to the Illinois Pollution Control Board. Appeal rights are attached.

ROCKFORD – 4302 North Main Street, Rockford, IL 61103 – (815) 988-3300
ELGIN – 595 South State, Elgin, IL 60123 – (847) 608-3300
BUREAU OF LAND - PEORIA – 7620 N. University St., Peoria, IL 61614 – (309) 693-5463
SPRINGFIELD – 4500 S. Sixth Street Rd., Springfield, IL 62706 – (217) 782-3397
MARION – 2309 W. Main Street, Marion, IL 62959 – (217) 993-7200



HARRISON ST., DES PLAINES, IL 60016 – (847) 294-4000
CITY ST., PEORIA, IL 61614 – (309) 693-5463
25 SOUTH FIRST STREET, CHAMPAIGN, IL 61820 – (217) 278-5800
9 MALL STREET, COLLINSVILLE, IL 62234 – (618) 346-5120
(217) 993-7200

SECTION 2

1. \$300.00 for an adjustment in the investigation costs. The Illinois EPA previously notified the owner or operator of its final action in regards to these costs. Further, in accordance with Section 57.7(c)(4) of the Act and 35 Ill. Adm. Code 732.503(f), the Illinois EPA's action to require modification of the Site Classification Work Plan Budget was subject to appeal to the Illinois Pollution Control Board within 35 days after the Illinois EPA's final action.
2. \$4,900.00 for an adjustment in the personnel costs. The amendment to the Site Classification Work Plan Budget includes personnel costs that lack supporting documentation (35 Ill. Adm. Code 732.606(gg)).

The owner or operator contracted United Science Industries, Inc. to perform the work outlined in the amendment to the Site Classification Work Plan.

The Site Classification Work Plan Budget, dated November 10, 2003, contained sufficient personnel costs to cover the work performed by the previous consultant and the work performed by United Science Industries, Inc.

The Illinois EPA previously notified the owner or operator of its final action in regards to these personnel costs. Further, in accordance with Section 57.7(c)(4) of the Act and 35 Ill. Adm. Code 732.503(f), the Illinois EPA's action to require modification of the Site Classification Work Plan Budget was subject to appeal to the Illinois Pollution Control Board within 35 days after the Illinois EPA's final action.

MTL:TLB:H:\Projects\Village of Crainville\5aa.doc

Appeal Rights

An underground storage tank owner or operator may appeal this final decision to the Illinois Pollution Control Board pursuant to Sections 40 and 57.7(c)(4)(D) 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 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, IL 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
Post Office Box 19276
Springfield, IL 62794-9276
217/782-5544



P.O. Box 360
6295 East Illinois Highway 15
Woodlawn, Illinois 62898-0360

Phone: (618) 735-2411
Fax: (618) 735-2907
E-Mail: unitedscience@unitedscience.com

November 11, 2004

Illinois Environmental Protection Agency
Division of Legal Counsel
1021 North Grand Avenue East
Springfield, IL 62794-9276

**Re: LPC# 1990155024 —Williamson County
Village of Crainville
1205 Main Street - Carterville
LUST Incident No. 983135
LUST Technical File
USI Project #1803067**

To Whom It May Concern:

United Science Industries, Inc. (USI), on behalf of our client, Village of Crainville, is requesting a 90-day extension of the 35-day appeal period in regards to the IEPA correspondence included.

I appreciate your time and consideration in this matter. If you have any questions or comments regarding this matter please contact me at 618-735-2411 extension 129.

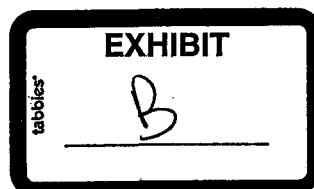
Sincerely yours,

UNITED SCIENCE INDUSTRIES, INC.

John Kroeger
Project Manager

Enclosures

JK;jlr



RECEIVED
Division of Legal Counsel
NOV 15 2004
Environmental Protection
Agency


CERTIFICATE OF SERVICE

I, the undersigned attorney at law, hereby certify that on November 24, 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 Mail 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

John Kroeger, Project Manager
United Science Industries
P.O. Box 360
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