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AUG 03 2005

STATE OF ILLINOIS
Pollution Control Board

PC#56

VIA U.S. MAIL

August 2, 2005

Marie E. Tipscord
Hearing Officer
Illinois Pollution Control Board
100 West Randolph, Suite 11-500
Chicago, IL 60601

Subject: Proposed Revisions to Leaking Underground Storage Tank Regulations at Part 732 and New Regulations for Leaking Underground Storage Tanks at Part 734, R04-22 and R04-23.

Dear Ms. Tipscord:

Clayton Group Services, Inc. (Clayton) has prepared this correspondence in regards to the Illinois Environmental Protection Agency's proposed and new regulations referenced above. Clayton has reviewed the proposed maximum payment amounts for eligible corrective action costs and has found many of the amounts, especially subcontracted services (e.g., UST removal, soil excavation and disposal), substantially lower than competitive prices for the Chicago area. The bidding process described in the regulations where three competitive bids from subcontractors or for portions of the work that cannot be completed for the maximum amount would be an extremely cumbersome process. In addition, it is unclear whether the costs associated with preparing the bid specifications, conducting associated pre-bid site visits, and reviewing the bids would be eligible for reimbursement. Clayton would not bid a LUST project if payment were based on the maximum payment amounts or be subject to the bidding process. Clayton is an environmental consulting firm that has been in business for over 50 years, and has been operating in Illinois since before the first Illinois LUST regulations were enacted in 1988. If you would like additional feedback, please contact me at 630/795-3209.

Sincerely,

A handwritten signature in cursive script that reads 'Gary R. Perkowitz'.

Gary R. Perkowitz, P.G.
Manager
Environmental Services