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ILLINOIS STATE SENATE



**CHRIS LAUZEN**  
STATE SENATOR  
25TH LEGISLATIVE DISTRICT

COMMITTEES:

MINORITY SPOKESMAN  
REVENUE

MEMBER:

APPROPRIATIONS I  
APPROPRIATIONS II  
APPROPRIATIONS III  
LEGISLATIVE AUDIT  
COMMISSION-CO-CHAIR

ORIGINAL

September 22, 2005

Marie Tipsord, Hearing Officer  
Pollution Control Board  
James R. Thompson Center  
100 W. Randolph, Ste. 11-500  
Chicago, IL 60601

RE: R04-22 & R04-23 Proposed Amendments to Regulations of Petroleum Leaking  
Underground Storage Tanks

Dear Ms. Tipsord:

It has come to my attention that the Illinois Environmental Protection Agency (IEPA) has proposed substantive changes to the Illinois Leaking Underground Storage Tank (LUST) regulations. It is apparent, however, that significant concerns are present within the IEPA's alternative proposal. As a Senator, I understand the need for conserving tax payer funds. However, I'm also concerned about the environment and the overall economic status of our state. As proposed, these regulations are not justifiable and will impact citizens in the following primary areas:

- **Improperly Calculated Maximum Payment Amounts**—It is unjust to enforce rate restrictions on the regulated community when the economic impact of said rate restrictions has not been properly evaluated. Additionally, it is not feasible to restrict owner or operator reimbursement based on improperly calculated rates.
- **Property Value Reduction and Environmental Impact**—By eliminating the reimbursement of costs associated with groundwater remediation for sites located within the influence of a groundwater ordinance, owners and operators will be forced to accommodate drastic reductions in property value or expend thousands of dollars in remediation costs above their state determined deductible. Furthermore, this reliance on groundwater use restrictions will only serve to degrade our groundwater quality and does not protect human health or the environment.

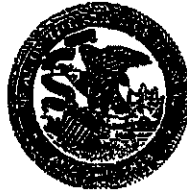
Therefore, I request that ruling on the proposed revisions to 734 and 732 LUST regulations be delayed until a more suitable solution can be developed.

Very sincerely,

Christopher J. Lauzen

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103 FIFTH STREET  
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PERU, ILLINOIS 61354  
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**GARY G. DAHL**  
STATE SENATOR - 38TH DISTRICT

COMMITTEES:  
MINORITY SPOKESPERSON  
AGRICULTURE  
MEMBER:  
LOCAL GOVERNMENT  
COMMERCE & ECONOMIC  
DEVELOPMENT

September 20, 2005

Illinois Pollution Control Board  
100 W. Randolph  
Suite 11-516  
Chicago, Illinois 60601

Re: Proposed revisions to fund regulations R04-022 and R04-023

To Whom It Concerns:

I understand the Board is considering alternative regulations pertaining to the leaking underground storage tank fund. In reviewing the proposed regulations, I have many concerns, chief among them is that they are unequitable and lack a rational basis. I strongly believe that a change, as proposed, would not be in the best interest of property owners, municipalities/townships, taxpayers and the State of Illinois.

I am additionally interested in learning why these regulations are being changed at this time and the justification for the proposed rules as currently drafted. It seems to me that the proposals are changing a proven and successful program in favor of one that is inherently flawed with problems that will continue on indefinitely. The LUST fund was established to clean up contaminated sites. If these rules are adopted, the contamination problem will never end. We need to take the responsible action and clean up sites now and completely. These problems should not be left for future generations to deal with.

I hereby request that the IPCB delay passing judgment on the proposed revisions to regulations R04-022 and R04-023 until such time that alternative rules can be developed and fully considered.

Sincerely,

A handwritten signature in cursive script that reads "Gary Dahl".

Senator Gary Dahl

GGD/jwe

**STATEMENT OF SUPPORT**

I hereby provide this statement to document my support of the proposed revisions to the leaking underground storage tank regulations R04-022 and R04-023 as submitted by United Science Industries, Inc. to the Illinois Pollution Control Board.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name Printed

\_\_\_\_\_  
Company

Comments:



**REQUEST FOR DELAY**

I hereby provide this statement as a request that the Illinois Pollution Control Board delay the rulemaking in regard to the proposed revisions to the leaking underground storage tank rule regulations R04-022 and R04-023 until such a time that more fair and equitable rules can be prepared.

*Senator Arthur J. Wilhelmi*  
\_\_\_\_\_  
Signature

*Arthur "AJ" Wilhelmi*  
\_\_\_\_\_  
Name Printed *State Senator - 43rd Dist.*

Comments:

**STATEMENT OF SUPPORT**

I hereby provide this statement to document my support of the proposed revisions to the leaking underground storage tank regulations R04-022 and R04-023 as submitted by United Science Industries, Inc. to the Illinois Pollution Control Board.

David Luechtefeld  
Signature

David Luechtefeld  
Name Printed

State Senate  
Company

Comments:



**REQUEST FOR DELAY**

I hereby provide this statement as a request that the Illinois Pollution Control Board delay the rulemaking in regard to the proposed revisions to the leaking underground storage tank fund regulations R04-022 and R04-023 until such a time that more fair and equitable rules can be prepared.

David Luechtefeld  
Signature

David Luechtefeld  
Name Printed

State Senate

Comments:

Sep-23-05 12:10 From: United Science Industries 6167382907 T-114 P.02/03 F-158

**STATEMENT OF SUPPORT**

I hereby provide this statement to document my support of the proposed revisions to the leaking underground storage tank regulations R04-022 and R04-023 as submitted by United Science Industries, Inc. to the Illinois Pollution Control Board.

Frank Watson  
Signature

FRANK WATSON  
Name Printed

Illinois State Senator  
Company

Comments:



**REQUEST FOR DELAY**

I hereby provide this statement as a request that the Illinois Pollution Control Board delay the rulemaking in regard to the proposed revisions to the leaking underground storage tank fund regulations R04-022 and R04-023 until such a time that more fair and equitable rules can be prepared.

Frank Watson  
Signature

FRANK WATSON  
Name Printed

Illinois State Senator

Comments:

STATEMENT OF SUPPORT

I hereby provide this statement to document my support of the proposed revisions to the leaking underground storage tank regulations R04-022 and R04-023 as submitted by United Science Industries, Inc. to the Illinois Pollution Control Board.

*Senator John Han*  
Signature

SENATOR JOHN O. JONES  
Name Printed

Illinois State Senate  
Company

Comments: