

**BEFORE THE ILLINOIS
POLLUTION CONTROL BOARD**

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STATE OF ILLINOIS
Pollution Control Board

GRAND PIER CENTER LLC
AMERICAN INTERNATIONAL
SPECIALTY LINES INSURANCE CO.
as subrogee of GRAND PIER CENTER LLC,

Complainants,

v.

RIVER EAST LLC
CHICAGO DOCK AND CANAL TRUST
CHICAGO DOCK AND CANAL COMPANY
KERR-McGEE CHEMICAL LLC,

Respondents.

PCB 05-157
(Enforcement)

TO: Frederick S. Mueller
Daniel C. Murray
Garrett L. Boehm, Jr.
JOHNSON & BELL, LTD.
33 West Monroe Street
Suite 2700
Chicago, IL 60603-5404

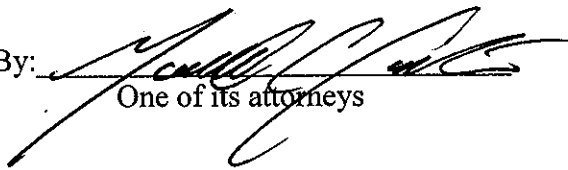
Donald J. Moran
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161 North Clark Street
Suite 3100
Chicago, IL 60601-3242

Bradley Halloran
Hearing Officer
Illinois Pollution
Control Board
James R. Thompson
Center – Suite 11-500
Chicago, IL 60601

NOTICE OF FILING

PLEASE TAKE NOTICE that on February 8, 2006, we caused to be filed with the Illinois Pollution Control Board in the James R. Thompson Center, Chicago, Illinois, **TRONOX LLC'S RESPONSE IN OPPOSITION TO COMPLAINANTS/COUNTER-COMPLAINANT RESPONDENTS' MOTION TO RECONSIDER THE BOARD'S JANUARY 5, 2006 ORDER**, a copy of which is served upon you along with this notice.

Tronox LLC

By: 
One of its attorneys

Michael P. Connelly
Garrett C. Carter
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STATE OF ILLINOIS
Pollution Control Board

GRAND PIER CENTER LLC,)
AMERICAN INTERNATIONAL)
SPECIALTY LINES INSURANCE CO.)
as subrogee of Grand Pier Center LLC,)

Complainants/)
Counter-Complaint Respondents,)

v.)

PCB 2005-157
(Enforcement)

RIVER EAST LLC,)
CHICAGO DOCK AND CANAL TRUST,)
CHICAGO DOCK AND CANAL COMPANY,)

Respondents,)

TRONOX LLC,)

Respondent/)
Counter-Complaint Complainant.)

TRONOX LLC'S RESPONSE IN OPPOSITION TO
COMPLAINANTS/COUNTER-COMPLAINANT RESPONDENTS' MOTION TO
RECONSIDER THE BOARD'S JANUARY 5, 2006 ORDER

Respondent/Counter-Complaint Complainant Tronox LLC ("Tronox"),¹ in
opposition to the Motion to Reconsider, filed by Complainants/Counter-Complainant
Respondents Grand Pier Center LLC and American International Specialty Lines Insurance
Co., as subrogee of Grand Pier Center LLC, (collectively, "Grand Pier"), states as
follows:

Grand Pier's motion for reconsideration fails to identify any new evidence

¹ Tronox LLC was formerly known as Kerr-McGee Chemical Company LLC. A
Notice of Name Change was filed with the Board on October 11, 2005.

or change in the law. See Ill. Admin. Code tit. 35, § 101.902 ("In ruling upon a motion for reconsideration, the Board will consider factors including new evidence, or a change in the law, to conclude that the Board's decision was in error."). Rather, Grand Pier is making an argument that it ought to have made in the underlying motions if it wished the Board to consider it. The matters addressed in the Board's Order have been sufficiently argued in the parties' extensive briefing on the underlying motions and the Order of the Board is sound.

Tronox respectfully requests that the Board deny Grand Pier's motion to reconsider the Board's Order of January 5, 2006.

Respectfully submitted,

TRONOX LLC

By:


One of its Attorneys

DATED: February 8, 2006

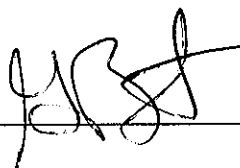
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Attorneys for Tronox LLC

CERTIFICATE OF SERVICE

I, Gabi Banat, a non-attorney, being first sworn on oath, depose and state that I served the attached **TRONOX LLC'S RESPONSE IN OPPOSITION TO COMPLAINANTS/COUNTER-COMPLAINANT RESPONDENTS' MOTION TO RECONSIDER THE BOARD'S JANUARY 5, 2006 ORDER** on the attorneys of record by mailing true and correct copies in a properly addressed, sealed envelope with appropriate postage affixed and depositing same in the U.S. mail located at One North Franklin Street, Chicago, Illinois, before 5:00 p.m. on February 8, 2006.



Subscribed and sworn to
before me February 8, 2006.



Notary Public

