

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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APR 03 2006

STATE OF ILLINOIS  
Pollution Control Board

|                               |   |                   |
|-------------------------------|---|-------------------|
| IN THE MATTER OF:             | ) |                   |
|                               | ) | R06-10            |
| PROPOSED AMENDMENTS TO        | ) | (Rulemaking-Land) |
| TIERED APPROACH TO CORRECTIVE | ) |                   |
| ACTION OBJECTIVES             | ) |                   |
| (35 Ill. Adm. Code 742)       | ) |                   |
|                               | ) |                   |

**NOTICE**

Dorothy Gunn, Clerk  
Illinois Pollution Control Board  
James R. Thompson Center  
100 W. Randolph, Suite 11-500  
Chicago, Illinois 60601  
**(Via First Class Mail)**

Bill Richardson, General Counsel  
Illinois Dept. of Natural Resources  
One Natural Resources Way  
Springfield, Illinois 62702-1271  
**(Via First Class Mail)**

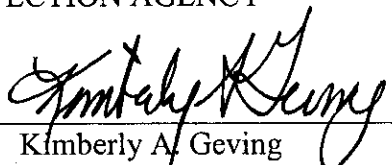
Matt Dunn  
Environmental Bureau Chief  
Office of the Attorney General  
James R. Thompson Center  
100 W. Randolph, 12<sup>th</sup> Floor  
Chicago, Illinois 60601  
**(Via First Class Mail)**

Richard R. McGill, Jr.  
Ill. Pollution Control Board  
James R. Thompson Center  
100 W. Randolph, Suite 11-500  
Chicago, Illinois 60601  
**(Via First Class Mail)**

**(Service List-Via First Class Mail)**

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board the Agency's **MOTION TO CORRECT THE TRANSCRIPT**, a copy of each of which is herewith served upon you.

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY

By:   
\_\_\_\_\_  
Kimberly A. Geving  
Assistant Counsel  
Division of Legal Counsel

DATE: March 30, 2006

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

RECEIVED  
CLERK'S OFFICE

APR 03 2006

STATE OF ILLINOIS  
Pollution Control Board

IN THE MATTER OF: )  
)  
TIERED APPROACH TO CORRECTIVE ) R06-10  
ACTION OBJECTIVES: AMENDMENTS ) (Rulemaking-Land)  
TO 35 Ill. Adm. Code 742 )  
)

MOTION TO CORRECT THE TRANSCRIPT

NOW COMES the Illinois Environmental Protection Agency ("Agency") by one of its attorneys, Kimberly A. Geving, and pursuant to 35 Ill. Adm. Code 101.604 moves the hearing officer in this matter to correct the transcript of March 1, 2006 as follows:

| <u>Page</u> | <u>Line</u> | <u>Correction</u>                                                                          |
|-------------|-------------|--------------------------------------------------------------------------------------------|
| 13          | 11          | We believe Mr. Rao said "conservative" not "convoluted"                                    |
| 13          | 19          | Change "follow" to "fall"                                                                  |
| 18          | 3           | Change "pier" to "peer"                                                                    |
| 29          | 7           | Change "solo" to "so low"                                                                  |
| 31          | 1           | We believe Mr. Thomas said "intents and" not "intense"                                     |
| 32          | 10          | Change "detecting" to "detection"                                                          |
| 32          | 23          | Change "sample" to "samples"                                                               |
| 35          | 1           | Change "was" to "were"                                                                     |
| 41          | 22          | Change "PC" to "PT"                                                                        |
| 43          | 23          | Change "would be" to "for"                                                                 |
| 45          | 1           | Change "local" to "low flow"                                                               |
| 46          | 15          | Change "come" to "coming"                                                                  |
| 55          | 4           | We believe Mr. Truesdale said "ingestion" not "injection"                                  |
| 57          | 9           | Change "pleas" to "please"                                                                 |
| 68          | 15          | Change "selected" to "selective"                                                           |
| 79          | 3           | Change "what" to "whether" and change "can do it" to "is confused"                         |
| 90          | 1           | Change "from" to "for"                                                                     |
| 90          | 5           | Change the first "as" to "was" and delete the first "and"                                  |
| 90          | 6           | Insert "per" after "milligrams", delete the "s" from "kilograms", and change "of" to "for" |
| 91          | 13          | Change "in" to "whose" and change "be" to "exceeds"                                        |
| 91          | 22          | That line should read: "These would be applicable drinking water"                          |
| 91          | 23          | Insert an "s" after "MCL" and change "wondering" to "talking"                              |
| 103         | 24          | Change "symptoms" to "systems"                                                             |
| 108         | 15          | Insert a period after the first "samples" and capitalize "but"                             |

STATE OF ILLINOIS            )  
                                          )  
COUNTY OF SANGAMON        )

**PROOF OF SERVICE**

I, the undersigned, on oath state that I have served the attached **MOTION TO CORRECT TRANSCRIPT** upon the persons to whom they are directed, by placing a copy of each in an envelope addressed to:

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

General Counsel  
Illinois Dept. of Natural Resources  
One Natural Resources Way  
Springfield, Illinois 62702-1271

Matt Dunn  
Environmental Bureau Chief  
Office of the Attorney General  
James R. Thompson Center  
100 W. Randolph, 12<sup>th</sup> Floor  
Chicago, Illinois 60601

Richard McGill  
Illinois Pollution Control Board  
100 W. Randolph St.  
Suite 11-500  
Chicago, Illinois 60601

(Service List)

and mailing them (First Class Mail) from Springfield, Illinois on March 30, 2006, with sufficient postage affixed as indicated above.



SUBSCRIBED AND SWORN TO BEFORE ME  
This 30th day of March, 2006.

Brenda Boehner  
Notary Public



**THIS FILING SUBMITTED ON RECYCLED PAPER**

| Party Name                                                                         | Role                                                     | City & State                     | Phone/Fax                            |
|------------------------------------------------------------------------------------|----------------------------------------------------------|----------------------------------|--------------------------------------|
| <u>IEPA</u><br>Petitioner                                                          | 1021 North Grand Avenue<br>East<br>P.O. Box 19276        | Springfield<br>IL 62794-<br>9276 | 217/782-<br>5544<br>217/782-<br>9807 |
| Kimberly A. Geving, Assistant Counsel<br>Annet Godiksen, Legal Counsel             |                                                          |                                  |                                      |
| <u>Hodge Dwyer Zeman</u><br>Interested Party                                       | 3150 Roland Avenue<br>Post Office Box 5776               | Springfield<br>IL 62705-<br>5776 | 217/523-<br>4900<br>217/523-<br>4948 |
| Christine G. Zeman<br>Karen L. Bernoteit<br>Katherine D. Hodge<br>Thomas G. Safley |                                                          |                                  |                                      |
| <u>Sidley Austin LLP</u><br>Interested Party                                       | One South Dearborn<br>Suite 2800                         | Chicago<br>IL 60603              | 312/853-<br>7000<br>312/853-<br>7036 |
| William G. Dickett                                                                 |                                                          |                                  |                                      |
| <u>EPI</u><br>Interested Party                                                     | 16650 South Canal                                        | South Holland<br>IL 60473        |                                      |
| Bob Mankowski                                                                      |                                                          |                                  |                                      |
| <u>Illinois Environmental Regulatory Group</u><br>Interested Party                 | 3150 Roland Avenue                                       | Springfield<br>IL 62703          | 217/523-<br>4942<br>217/523-<br>4948 |
| Katherine D. Hodge, Executive Director<br>Thomas G. Safley                         |                                                          |                                  |                                      |
| <u>Chemical Industry Council of Illinois</u><br>Interested Party                   | 2250 E. Devon Avenue<br>Suite 239                        | DesPlaines<br>IL 60018-<br>4509  |                                      |
| Lisa Frede                                                                         |                                                          |                                  |                                      |
| <u>Bellande &amp; Sargis Law Group, LLP</u><br>Interested Party                    | 19 South LaSalle Street<br>Suite 1203                    | Chicago<br>IL 60603              | 312/853-<br>8188<br>312/782-<br>0040 |
| Mark Robert Sargis                                                                 |                                                          |                                  |                                      |
| <u>Hanson Engineers, Inc.</u><br>Interested Party                                  | 1525 South Sixth Street                                  | Springfield<br>IL 62703-<br>2886 | 217/788-<br>2450<br>217/788-<br>2503 |
| Tracy Lundein                                                                      |                                                          |                                  |                                      |
| <u>Conestoga-Rovers &amp; Associates</u><br>Interested Party                       | 8615 West Bryn Mawr Avenue                               | Chicago<br>IL 60631              | 773/380-<br>9933<br>773/380-<br>6421 |
| Douglas G. Soutter                                                                 |                                                          |                                  |                                      |
| <u>Office of the Attorney General</u><br>Interested Party                          | Environmental Bureau<br>188 West Randolph, 20th<br>Floor | Chicago<br>IL 60601              | 312/814-<br>2550<br>312/814-<br>2347 |
| Matthew J. Dunn, Division Chief                                                    |                                                          |                                  |                                      |

| Party Name                                                                         | Role                                                     | City & State                     | Phone/Fax                            |
|------------------------------------------------------------------------------------|----------------------------------------------------------|----------------------------------|--------------------------------------|
| <u>IEPA</u><br>Petitioner                                                          | 1021 North Grand Avenue<br>East<br>P.O. Box 19276        | Springfield<br>IL 62794-<br>9276 | 217/782-<br>5544<br>217/782-<br>9807 |
| Kimberly A. Geving, Assistant Counsel<br>Annet Godiksen, Legal Counsel             |                                                          |                                  |                                      |
| <u>Hodge Dwyer Zeman</u><br>Interested Party                                       | 3150 Roland Avenue<br>Post Office Box 5776               | Springfield<br>IL 62705-<br>5776 | 217/523-<br>4900<br>217/523-<br>4948 |
| Christine G. Zeman<br>Karen L. Bernoteit<br>Katherine D. Hodge<br>Thomas G. Safley |                                                          |                                  |                                      |
| <u>Sidley Austin LLP</u><br>Interested Party                                       | One South Dearborn<br>Suite 2800                         | Chicago<br>IL 60603              | 312/853-<br>7000<br>312/853-<br>7036 |
| William G. Dickett                                                                 |                                                          |                                  |                                      |
| <u>EPI</u><br>Interested Party                                                     | 16650 South Canal                                        | South Holland<br>IL 60473        |                                      |
| Bob Mankowski                                                                      |                                                          |                                  |                                      |
| <u>Illinois Environmental Regulatory Group</u><br>Interested Party                 | 3150 Roland Avenue                                       | Springfield<br>IL 62703          | 217/523-<br>4942<br>217/523-<br>4948 |
| Katherine D. Hodge, Executive Director<br>Thomas G. Safley                         |                                                          |                                  |                                      |
| <u>Chemical Industry Council of Illinois</u><br>Interested Party                   | 2250 E. Devon Avenue<br>Suite 239                        | DesPlaines<br>IL 60018-<br>4509  |                                      |
| Lisa Frede                                                                         |                                                          |                                  |                                      |
| <u>Bellande &amp; Sargis Law Group, LLP</u><br>Interested Party                    | 19 South LaSalle Street<br>Suite 1203                    | Chicago<br>IL 60603              | 312/853-<br>8188<br>312/782-<br>0040 |
| Mark Robert Sargis                                                                 |                                                          |                                  |                                      |
| <u>Hanson Engineers, Inc.</u><br>Interested Party                                  | 1525 South Sixth Street                                  | Springfield<br>IL 62703-<br>2886 | 217/788-<br>2450<br>217/788-<br>2503 |
| Tracy Lundein                                                                      |                                                          |                                  |                                      |
| <u>Conestoga-Rovers &amp; Associates</u><br>Interested Party                       | 8615 West Bryn Mawr Avenue                               | Chicago<br>IL 60631              | 773/380-<br>9933<br>773/380-<br>6421 |
| Douglas G. Soutter                                                                 |                                                          |                                  |                                      |
| <u>Office of the Attorney General</u><br>Interested Party                          | Environmental Bureau<br>188 West Randolph, 20th<br>Floor | Chicago<br>IL 60601              | 312/814-<br>2550<br>312/814-<br>2347 |
| Matthew J. Dunn, Division Chief                                                    |                                                          |                                  |                                      |

|                                                      |                                   |                     |                  |
|------------------------------------------------------|-----------------------------------|---------------------|------------------|
| Interested Party<br>David Rieser                     | Suite 4100                        | IL 60601            | 8100             |
| <u>Reott Law Offices, LLC</u><br>Interested Party    | 35 East Wacker Drive<br>Suite 650 | Chicago<br>IL 60601 | 312/332-<br>7544 |
| Raymond T. Reott<br>Jorge T. Mihalopoulos            |                                   |                     |                  |
| <u>Chicago Department of Law</u><br>Interested Party | 30 N. LaSalle Street<br>Suite 900 | Chicago<br>IL 60602 |                  |
| Charles A. King, Assistant Corporation Counsel       |                                   |                     |                  |
| <u>SRAC</u><br>Interested Party                      | 2510 Brooks Drive                 | Decatur<br>IL 62521 |                  |
| Harry Walton                                         |                                   |                     |                  |

Total number of participants: 37