

BEFORE THE POLLUTION CONTROL BOARD  
OF THE STATE OF ILLINOIS

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CLERK'S OFFICE

SEP 11 2006

STATE OF ILLINOIS  
Pollution Control Board

L. KELLER OIL PROPERTIES/FARINA,	)	
Petitioner,	)	
	)	
v.	)	PCB No. 06-189
	)	PCB No. 06-190
ILLINOIS ENVIRONMENTAL	)	(UST Appeal)
PROTECTION AGENCY,	)	
Respondent.	)	

NOTICE

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

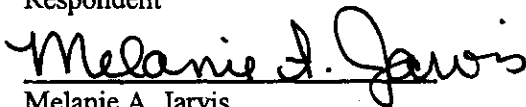
Carol Webb, Hearing Officer  
Illinois Pollution Control Board  
1021 North Grand Avenue East  
P. O. Box 19274  
Springfield, IL 62794-9274

Carolyn S. Hesse  
Barnes & Thornburg, LLP  
One North Wacker Drive,  
Suite 4400  
Chicago, IL 60606-2833

PLEASE TAKE NOTICE that I have today filed with the office of the Clerk of the Pollution Control Board a Motion for Authorization of Settlement, copies of which are herewith served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,  
Respondent



Melanie A. Jarvis  
Assistant Counsel  
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: August 29, 2006

**BEFORE THE POLLUTION CONTROL BOARD  
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**MOTION FOR AUTHORIZATION OF SETTLEMENT**

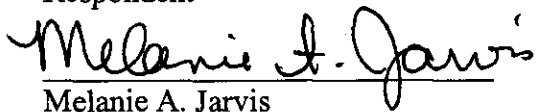
NOW COMES the Respondent, the Illinois Environmental Protection Agency ("Illinois EPA"), by one of its attorneys, Melanie A. Jarvis, Assistant Counsel, and hereby files this Motion for Authorization of Settlement in this matter and in support thereof, states as follows:

1. The Illinois EPA sent two letters to Petitioners on May 22, 2006 that were incorrect. As part of the settlement in this case, two new letters were issued to replace those issued on May 22, 2006.
2. During settlement negotiations, Petitioner requested reimbursement for attorney fees. As a part of settlement and not as an admission by the Illinois EPA that payment of attorney fees would be applicable if a hearing were held in this matter, the Illinois EPA and the Petitioner agreed to a compromise amount of \$2,500.00.
3. In order to effectuate payment of the agreed settlement amount from the Leaking Underground Storage Tank Fund, the parties must have Illinois Pollution Control Board ("Board") authorization. Pursuant to Section 732.606(g) payments of attorney fees must be authorized by the Board. Without this authorization, the case cannot be settled.

WHEREFORE the Respondent, with the agreement of the Petitioner, request that the Board authorize and order the payment of \$2,500.00 in attorney fees in this case.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,  
Respondent

A handwritten signature in cursive script, reading "Melanie A. Jarvis", is written over a horizontal line.

Melanie A. Jarvis  
Assistant Counsel  
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: August 29, 2006

## CERTIFICATE OF SERVICE

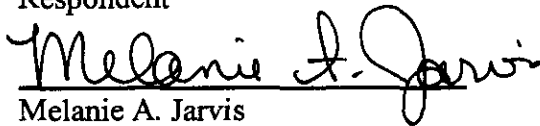
I, the undersigned attorney at law, hereby certify that on August 29, 2006, I served true and correct copies of a Motion for Authorization of Settlement, by placing true and correct copies thereof in properly sealed and addressed envelopes and by depositing said sealed envelopes in a U.S. Mail drop box located within Springfield, Illinois, with sufficient First Class 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

Carol Webb, Hearing Officer  
Illinois Pollution Control Board  
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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,  
Respondent



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Assistant Counsel  
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