

John Therriault - RE: PCB 09-25 City of Joliet v. IEPA--replacement for apparently miscopied pages in administrative record

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STATE OF ILLINOIS
Pollution Control Board

From: Kathleen Crowley
To: Gerald Karr; Roy M.' Harsch
Date: 5/1/2009 10:51 AM
Subject: RE: PCB 09-25 City of Joliet v. IEPA--replacement for apparently miscopied pages in administrative record
CC: Brad Halloran; John Therriault

Thank you both for your prompt attention to this detail. We will expect the agreed filing from Mr. Harsch.

>>> "Karr, Gerald" <GKarr@atg.state.il.us> 5/1/2009 10:49 AM >>>
That is acceptable with me.

Gerald T. Karr
Senior Assistant Attorney General
Environmental Bureau
69 West Washington Street, Suite 1800
Chicago, Illinois 60602
312-814-3369
312-814-2347 (fax)

From: Harsch, Roy M. [mailto:Roy.Harsch@dbr.com]
Sent: Friday, May 01, 2009 10:45 AM
To: Kathleen Crowley; Karr, Gerald
Cc: Brad Halloran; John Therriault
Subject: RE: PCB 09-25 City of Joliet v. IEPA--replacement for apparently miscopied pages in administrative record

Following up on this message and a telephone call from Ms. Crowley, I have asked that the consultant's office to forward me an electronic copy of the report, Dennis Duffield is in the hospital so he can not pull the two pages out. I will forward it electronically to each of you upon receipt followed by a notice of filing and a hard copy. If this procedure is not acceptable please advise.

From: Kathleen Crowley [mailto:crowlek@ipcb.state.il.us]
Sent: Friday, May 01, 2009 10:24 AM
To: GKarr@atg.state.il.us; Harsch, Roy M.
Cc: Brad Halloran; John Therriault
Subject: PCB 09-25 City of Joliet v. IEPA--replacement for apparently miscopied pages in administrative record

I am writing in the stead of the assigned hearing officer, Brad Halloran, who is scheduled out of the office today.

As you know, this case is presently scheduled for decision on May 7, 2009. As time is of the essence, I will follow up this e-mail to the attorneys of record with telephone calls.

In reviewing the case materials, we have discovered that two pages in the administrative record have apparently been miscopied. The pages are pages 72-73, which appear to have been oversized pages

folded inward for filing and not folded out to full size during copying.

Attached is a pdf file showing the pages at issue, and the reasons for the conclusion that there is missing material.

The parties are requested to address the issue of the completeness of these pages no later than Monday, May 4, 2009. If the original material in the IEPA's file is as shown in the pdf file, IEPA's attorney should verify that fact. If miscopying did occur, a fully readable replacement copy must be filed with the Board as soon as possible: electronic or telefax filing is preferred. As its the IEPA's administrative record, IEPA would normally be expected to make the filing. But if, under the circumstances, the parties agree that it is more expedient for Joliet to make the filing, that too is acceptable.

If there are questions about this e-mail, I can be reached at (312)814-6969 for the balance of the day. If I do not hear from the parties today, Brad will again attempt to contact you on Monday. A hard copy of this e-mail is being placed into the PCB 09-25 record to memorialize this contact.

Thank you for your prompt assistance.

If there are questions about this e-mail

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Thank you very much.

Land Application of Radium Bearing Biosc

12. Appendix A Survey of

Phone Calls Made by Kimberly Voiches

Entity	Telephone Numrages		Auxiliary Structures	
	Yes	No	Yes	No
Will County	815-727-86	X		X
Kendall County	630-553-41	X		X
Grundy County	815-941-32	X		X
Kankakee County	815-937-29	X		X
Kane County	630-232-34	X		X
Dekalb County	815-895-71	X		X
LaSalle County	815-712-05	X		X
Joliet	815-724-40	X	Under 200 sq. ft. Yes	X
Manhattan	815-478-34	X		X
Channahon	815-467-66	X	X	
Minooka	815-467-88	X		X
Shorewood	815-725-2150 EX	X		X
Plainfield	815-439-29	X		X
Oswego	630-554-23	X		X
Yorkville	630-553-85	X		X
Wilmington	815-476-27	X		X
Frankfort	815-469-70	X		X
Mokena	708-479-39	X		X
Sugar Grove	630-466-89	X		X

Land Application of Radium Bearing Bioso

Entity	Telephone Number	Pages		Auxiliary Structures	
		Yes	No	Yes	No
Elburn	630-365-50		X		X
Morris	815-942-18		X		X