

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

BROADUS OIL COMPANY,)	
Petitioner,)	
)	PCB 12-124
v.)	(UST Appeal)
)	
ILLINOIS ENVIRONMENTAL PROTECTION)	
AGENCY,)	
Respondent.)	

NOTICE

John T. Therriault
Assistant Clerk
Illinois Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601-3218

Robert M. Riffle, Esq.
133A S. Main Street
Morton, IL 61550

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

PLEASE TAKE NOTICE that I have today caused to be filed a MOTION FOR LEAVE TO FILE RESPONDENT'S CLOSING BRIEF *INSTANTER* with the Illinois Pollution Control Board, a copy of which is served upon you.


Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Dated: July 11, 2014

Respondent,

Scott B. Sievers
Attorney Registration No. 6275924
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276
(217) 782-5544

BY: 

Scott B. Sievers
Special Assistant Attorney General

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

BROADUS OIL COMPANY,)	
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Petitioner,)	
)	PCB 12-124
v.)	(UST Appeal)
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ILLINOIS ENVIRONMENTAL PROTECTION)	
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MOTION FOR LEAVE TO FILE
RESPONDENT’S CLOSING BRIEF *INSTANTER*

NOW COMES the Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, by and through its attorney, Special Assistant Attorney General Scott B. Sievers, and, pursuant to 35 Ill. Adm. Code 101.502 and 35 Ill. Adm. Code 101.522, hereby moves the Hearing Officer for leave to file Respondent’s Closing Brief *instanter*. The Respondent states the following in support:

1. Section 101.522 of the Board rules provides that “[t]he Board or hearing officer, for good cause shown on a motion after notice to the opposite party, may extend the time for filing any document or doing any act which is required by these rules to be done within a limited period, either before or after the expiration of time.” 35 Ill. Adm. Code 101.522.

2. After the Respondent filed a motion to extend the briefing schedule in this action to which the Petitioner did not object, the Hearing Officer on July 7, 2014 extended the deadline for the Respondent’s brief to July 9, 2014 and for the Petitioner’s reply to July 23, 2014.

3. While counsel for the Respondent has attempted in good faith to complete and file the Respondent’s brief by the July 9, 2014 deadline, regrettably, he has been unable to do so.

4. Consequently, the Respondent moves the Hearing Officer for leave to file the enclosed Respondent's Closing Brief *instanter* while also extending the filing deadline for the Petitioner's reply brief from July 23, 2014 to July 25, 2014.

5. Counsel for the Respondent has conferred with counsel for the Petitioner, and the Petitioner has no objection to this extension.

WHEREFORE, the Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, prays that the honorable Hearing Officer ALLOW the Respondent's Motion for Leave to File Respondent's Closing Brief *Instanter* while also extending the filing deadline for the Petitioner's reply brief from July 23, 2014 to July 25, 2014.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Respondent,



BY: _____

Scott B. Sievers
Special Assistant Attorney General

Dated: July 11, 2014

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Attorney Registration No. 6275924
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RESPONDENT'S CLOSING BRIEF

NOW COMES the Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, by and through its attorney, Special Assistant Attorney General Scott B. Sievers, and for the Respondent's Closing Brief states the following:

I. INTRODUCTION

In this appeal of the rejection by Illinois EPA of a Corrective Action Plan Budget amendment due to a lack of documentation justifying the additional \$104,163.03 in costs requested, the Petitioner has failed to meet its burden. The Petitioner had the burden to prove that its submittal did not violate the Act and regulations. While it argued that the work was hard, that the costs were incurred, and that it had oral approval for the work and costs, the Petitioner failed to prove that its submittal and the record before the Agency at the time of its decision contained justification that the costs requested in its ninth budget amendment were not used for corrective action activities in excess of those necessary to meet the minimum requirements of the Act and regulations. Consequently, the Board should deny the Petitioner's appeal and affirm Illinois EPA's March 20, 2012 decision rejecting the Petitioner's November 9, 2011 CAP Budget amendment.

II. STANDARD OF REVIEW

Section 57.3 of the Environmental Protection Act, 415 ILCS 5/1 *et seq.*, provides for the establishment of the Illinois Leaking Underground Storage Tank Program, which is to be administered by the Office of the State Fire Marshal and the Respondent, the Illinois Environmental Protection Agency (“Illinois EPA”). 415 ILCS 5/57.3. Illinois EPA is charged by Board regulation with conducting a financial review of submitted plans and budgets, and that review includes assuring that costs associated with materials, activities, and services “must not be used for corrective action activities in excess of those necessary to meet the minimum requirements of the Act and regulations.” 35 Ill. Adm. Code 734.510(b). Section 57.7(c)(4) of the Act provides, in pertinent part, that “[a]ny action by the Agency to disapprove or modify a plan or report ... shall be subject to appeal to the [Pollution Control] Board in accordance with the procedures of Section 40.” 415 ILCS 5/57.7(c)(4).

The standard of review under Section 40 of the Act is whether the application, as submitted to the Agency, would not violate the Act and Board regulations. *Freedom Oil Co. v. Illinois EPA*, PCB No. 10-46, slip op. at 13 (Aug. 9, 2012). In appeals of final Agency determinations, the burden of proof rests upon the petitioner. *Id.* The standard of proof in LUST appeals is the preponderance of the evidence, meaning that a proposition is proved by a preponderance when it is more probably true than not. *Id.* The Pollution Control Board’ review generally is limited to the record before the Agency at the time of its determination. *Evergreen FS, Inc. v. Illinois EPA*, PCB No. 11-51, op. at 14 (June 21, 2012). The Agency’s denial letter frames the issue. *Id.*

III. STATEMENT OF FACTS

A. The Administrative Record

On November 9, 2011, Midwest Environmental Consulting & Remediation Services Inc. (“MECRS”) submitted a Corrective Action Plan Budget amendment to the Respondent, Illinois Environmental Protection Agency, on behalf of the Petitioner, Broadus Oil Company. (Ex. A; Admin. R. at 267.) This 2011 submittal stated that “[t]he purpose of this budget amendment is to provide justification for outstanding costs dating back to **2006** and for the additional costs anticipated for closing the site.” (Ex. A at 1; Admin. R. at 267 (emphasis added).) In the submittal, MECRS checked off the box on a form for “Budget Amendment (Budget Amendments must include only the costs over the previous budget)” and indicated that its submittal marked its ninth amendment. (Ex. A at 7; Admin. R. at 273.) The Petitioner’s submittal sought to amend the existing budget to include an additional \$104,163.03. (Ex. A at 9; Admin. R. at 275.)

The Petitioner’s CAP Budget amendment included an additional \$87,484.16 in personnel costs. (Ex. A at 9; Admin. R. at 275.) The submittal sought an extra \$8,825.00 for additional personnel time for a corrective action plan, or CAP, from three years earlier, in 2008; an extra \$2,156.00 in personnel time for a reimbursement application also from nearly three years earlier; an additional \$16,714.00 in personnel time for preparation of a CAP and budget from 2009; an extra \$22,129.50 in personnel time for a CAP and budget from 2010; and an additional \$28,273.00 in personnel time for preparation of a corrective action completion report, or CACR. (Ex. A at 5-6; Admin. R. at 271-72) The submittal also sought an additional \$4,680.66 in personnel costs cut from a 2007 reimbursement as well as an extra \$4,706.00 in personnel time for over-budget costs from 2008, both “incurred to complete the excavation, tables, maps and reports.” (Ex. A at 5; Admin. R. at 271.)

In addition to personnel costs, the Petitioner's submittal sought \$14,891.84 in additional field purchases and other costs. (Ex. A at 9; Admin. R. at 275.) MECRS explained that it incurred additional costs for the transportation, disposal, and back-filling of an additional 500 tons of soil not included in the original budget. (Ex. A at 6, 17; Admin. R. at 272, 283.) The Petitioner's submittal reported that 9,500 tons went to the landfill rather than the originally anticipated 9,000 tons. (Ex. A at 6, 17; Admin. R. at 272, 283.)

On March 20, 2012, Illinois EPA rejected the November 2011 CAP Budget amendment because the budget included costs that lacked supporting documentation. (Ex. B at 4; Tr. at 109.) Illinois EPA explained that it required "justification for the increased hours and/or underestimation of the various tasks requested in this amended budget." (Ex. B at 4.) Illinois EPA further stated that the "[c]osts for the soil disposal increased yet there was not a similar reduction in the costs for clean overburden." (Ex. B at 4.)

B. The Hearing

On April 22, 2014, Hearing Officer Carol Webb conducted a hearing in this action in Springfield, Illinois. (Tr. at 1.) Witnesses Allen Green and Steven Broadus testified on behalf of the Petitioner, and witnesses Shirlene South and Brian Bauer testified on behalf of Illinois EPA. (Tr. at 3.) The CAP Budget amendment submitted by MECRS on behalf of the Petitioner was admitted into evidence as Exhibit A, and Illinois EPA's response to and rejection of that submittal was admitted into evidence as Exhibit B. (Tr. at 32, 109.)

1. Illinois EPA witness Shirlene South

Employed by Illinois EPA since 1992, Shirlene South testified that she worked as a chemist until 2004 before becoming an Environmental Protection Specialist III in the Leaking Underground Storage Tank section. (Tr. at 56-57.) South's duties include reviewing LUST

budgets and plans and acting on them. (Tr. at 57-58.) She reviews whether work and budgets are appropriate to the plan. (Tr. at 58.) South approves and denies budgets and plans, as well as partially denying them through what is called a modification. (Tr. at 58.) Of these three responses—approval, denial, and modification—approval receives the least scrutiny from South's supervisors. (Tr. at 58-61.)

South testified that, in the course of her duties, she has communications from environmental consultants, including phone calls, e-mails, and letters. (Tr. at 64-65.) South said that she receives communications from environmental consultants regarding costs that have exceeded what was anticipated and where work turns out to be greater than anticipated. (Tr. at 65.) When the work is greater than anticipated, the scope of the work has changed, or the costs are higher than expected, South normally requests that the environmental consultants send in an amended budget. (Tr. at 65.) If the work was just one or two additional wells or a soil boring, South probably would just ask for an amended budget, but if the scope of work was to be much larger than that, she would ask for a plan. (Tr. at 66.) When she receives calls about higher than anticipated costs from a consultant and looking for some sort of direction, South testified that they are usually talking about \$1,000 to \$2,000, in which case South will often ask them to send in a brief letter for the file. (Tr. at 67.) While that would be sufficient for such a small figure, for dollar figures greater than that, South would want a plan and budget. (Tr. at 67.)

When an environmental consultant calls concerning higher than anticipated costs or greater than anticipated scope of work, South usually receives those calls quickly "because they're wanting to move on and seek approval before going further with the work so that they can get paid." (Tr. at 67-68.) It is not common for South to receive a budget amendment for costs incurred as many as five years earlier; in fact, South did not recall ever having received a budget

amendment for costs dating back as many as five years before. (Tr. at 68-69.) It also is not common for South to receive a budget amendment for a dollar figure in excess of a hundred thousand dollars. (Tr. at 68.)

South is the project manager for the Broadus Oil Company site. (Tr. at 61.) However, Sam Hale was the project manager before her, but he died. (Tr. at 61.) South identified Exhibit A as the CAP Budget amendment that is the subject of Exhibit B, which is the decision she made on behalf of Illinois EPA denying the Petitioner's CAP Budget amendment. (Tr. at 62-63.) South testified that the Petitioner's submittal did not include any documentation of the increased costs or scope of work. (Tr. at 70-71.) "I reviewed the previous budgets and I cannot approve costs without justification," South testified. (Tr. at 80.)

South testified that she understood the Petitioner had additional costs for transporting and disposing 500 tons of soil. (Tr. at 70.) For transportation and disposal costs, South would anticipate receiving trucking company manifests, lab sample records for contaminated soil, and landfill receipts. (Tr. at 71-72.) However, South testified that she did not receive as part of the Petitioner's submittal any such manifests, test or soil samples, or landfill receipts for these 500 tons of soil. (Tr. at 70, 72, 85.) The Petitioner's CAP Budget amendment did not provide Illinois EPA with any sample or test results showing that these 500 tons of soil was contaminated. (Tr. at 70.) Further, South never received any supplemental information or documentation from the Petitioner explaining why the original budgeted amounts were insufficient. (Tr. at 71.)

South testified that the Petitioner's CAP Budget amendment was "[v]ery unusual" because of the large amount not previously approved. (Tr. at 68.) Because of the amount, South specifically remembered calling MECRS President Allen Green and leaving him a message that she was denying the submittal. (Tr. at 8, 78-79.) South recalled her message: "I'm having to deny

this. Could you please send me justification for these costs.” (Tr. at 79; *also* Tr. at 89-90.) When South made her decision to deny the Petitioner’s CAP Budget amendment, she expected to receive justification from the Petitioner for the increased costs or underestimation of various tasks, but she never did. (Tr. at 73, 84.)

South testified that telephone approval of a greater scope of work or higher than anticipated costs is not common. (Tr. at 91.) There are times, however, when Illinois EPA will approve of a cost or step to be taken that was not part of a budget or a plan and do that by telephone. (Tr. at 75.) For example, when a consultant has called from the field saying he needs to drill a few additional borings or monitoring wells, South has approved that work over the telephone. (Tr. at 81-82.) South is comfortable approving very small field changes for a few thousand dollars. (Tr. at 88.) “It is cheaper to have someone go out and do one additional well while they’re mobilized than to call for an entire mobilization,” South testified. (Tr. at 88.) However, she expects an additional scope of work to be in the next submittal. (Tr. at 88-89.) Usually after telephone approval, a brief summary of the work and costs will be sent in. (Tr. at 75.) South testified that she was unaware of any situation in which an oral or telephone approval for a higher cost or change in the scope of work at a LUST site was not subsequently incorporated in a budget or plan amendment for as many as five years. (Tr. at 76.)

2. Illinois EPA witness Brian Bauer

Brian Bauer testified that he has been employed at Illinois EPA for 22 years, all of it in the LUST section. (Tr. at 93.) Bauer is familiar with the Broadus Oil Company site from a previous LUST appeal before the Board. (Tr. at 93-94.) Bauer specifically worked with Shirlene South on the Broadus Oil Company site in Streator, and, prior to South’s decision, they discussed the CAP Budget amendment that is the subject of this appeal as well as South’s denial of the same. (Tr. at

98-99.) Bauer expressed some of his questions or concerns about the Petitioner's submittal to South, and some of those questions or concerns were based upon the lack of justification and documentation submitted with the Petitioner's CAP Budget amendment. (Tr. at 103-104.) Bauer testified:

If you have a corrective action plan and you have additional costs, you should go back and be specific as to why you're asking for it. You know, what caused it, what did you do specifically that was more so than the original scope of work, and that wasn't there.

(Tr. at 97.)

Bauer testified that he had concerns with the costs set forth in the Petitioner's CAP Budget amendment. (Tr. at 102.) As an example, Bauer questioned the additional \$16,714 the Petitioner sought in the 2011 submittal for preparation of a CAP and budget dated May 28, 2009:

Why would you ask for \$16,000, \$16,714 in personnel time for the preparation of a CAP and budget when you're submitting it right before that? I don't understand that. It doesn't make any sense to me.

And it goes on in other ones like that too. If you're going to submit CAP and budget, you would include all costs associated with the CAP and budget at that period of time.

(Tr. at 102-103.) Bauer testified that should have been incorporated in the May 28, 2009 CAP and budget and not the 2011 submittal. (Tr. at 103.)

Bauer testified that the largest oral approval he has provided for a scope modification was "maybe tops \$8,000," possibly for drilling a couple more wells. (Tr. at 105-06.) Bauer testified:

If someone called in and they needed some additional work, we basically say, yes, you know, if you think you need the work and you can support it by technical documentation, go ahead and do that work.

And then basically the next submittal over you submit your amended CAP and budget with your technical documentation to support that.

(Tr. at 105.)

3. Broadus witness Allen Green

Allen Green testified that the late Illinois EPA employees Cliff Wheeler and Sam Hale expressed to him they were feeling political pressure, were being told they needed to expedite the site, and that they were to go ahead, don't stop and submit budgets or plans, that they would take care of it in the end. (*See* Tr. at 29-30.) Green did not have any of that in writing from Wheeler or Hale. (Tr. at 30.) Further, Green acknowledged that neither Wheeler nor Hale was able to testify to the contrary. (Tr. at 30.) Green did not know whether other communications with Hale regarding changes were in the administrative record, but Green did not have copies of them at the hearing. (Tr. at 30.)

Green testified about a meeting he attended with Illinois EPA staff in November 2011 in Springfield. (Tr. at 25.) According to Green, Tom Hedinger, Hernando Albarracin, and Brian Bauer attended the meeting, among others. (*See* Tr. at 111.) Bauer also testified about the meeting. (Tr. at 94.) Green spoke about costs incurred at the Broadus site, that he had cost overruns, and he questioned how to receive approval for those costs. (Tr. at 94-95.) When asked whether he remembered any Illinois EPA employee in the November 2011 meeting with Green saying, "Go right ahead and you can incur higher costs. You can expand the scope of work. You don't need to submit a budget amendment or a change in a plan now. We'll catch it all at the very end," Bauer testified, "I do not recall that." (Tr. at 104.)

IV. ARGUMENT

A. THE PETITIONER HAS FAILED TO MEET ITS BURDEN TO PROVE ITS SUBMITTAL DID NOT VIOLATE THE ACT AND REGULATIONS BY INCLUDING COSTS IN EXCESS OF THE MINIMUM REQUIREMENTS.

Illinois EPA rejected the Petitioner's November 2011 CAP Budget amendment because the budget included \$104,163.03 in costs that lacked supporting documentation. (Ex. B. at 4.) Despite this fact, the Petitioner does not contend that Illinois EPA misread its submittal or overlooked submitted documentation.

Instead, the Petitioner essentially argues that the submittal should have been approved because, despite the lack of documentation submitted to justify \$104,163.03 in additional costs, the work Petitioner encountered was really hard, that it really incurred the costs, and that two dead Illinois EPA employees who cannot testify to the contrary orally approved the additional scope of work and higher costs.

The Petitioner in a LUST appeal, however, bears the burden of proving that its submittal would not violate the Act and Board regulations. *Freedom Oil Co. v. Illinois EPA*, PCB No. 10-46, slip op. at 13 (Aug. 9, 2012). Further, the Board's review generally is limited to the record before the Agency at the time of its determination, with the Agency's denial letter framing the issue. *Evergreen FS, Inc. v. Illinois EPA*, PCB No. 11-51, op. at 14 (June 21, 2012). In the action at bar, the record before the Agency at the time of its determination fails to support the Petitioner's arguments.

B. THE PETITIONER FAILED TO PROVE THAT ITS SUBMITTAL JUSTIFIED THE \$104,000 IN ADDITIONAL COSTS SO AS TO PROVE THEY WERE NOT IN EXCESS OF THE MINIMUM REQUIREMENTS.

In this appeal, the Petitioner claims that it faced some daunting challenges when working on the site. That might well be the case, and if they were not foreseeable, it might well provide the

justification for the requested budget amendment. But that justification cannot come from the testimony of Steven Broadus, as it must be found in the submittal itself, and it is not there.

Illinois EPA denied the Petitioner's CAP Budget amendment because it lacked documentation supporting the extra \$104,163.03 in costs. That included \$87,484.16 in additional personnel costs. Why was an additional \$8,825.00 in personnel costs needed in 2011 for a CAP from 2008? Or an extra \$2,156.00 in personnel time for a reimbursement application from nearly three years earlier? What warrants an additional \$16,714.00 in personnel time for a CAP and budget from 2009, or an extra \$22,129.50 for a CAP and budget from 2010? What is the reasoning behind a request for an additional \$28,273.00 in personnel time for preparation of a corrective action completion report? And how is it that an extra \$4,680.66 is necessary for personnel costs cut from a 2007 reimbursement as well as an extra \$4,706.00 for costs over budget in 2008? When those two requests both concern costs purportedly "incurred to complete the excavation, tables, maps and reports," (Ex. A at 5; Admin. R. at 271), are they seeking duplicative costs to twice "complete" the excavation, tables, maps and reports? There might well be perfectly good answers for these questions that would justify an additional \$87,484.16 in personnel costs years after they were incurred, but those answers cannot be found in the Petitioner's submittal.

The Petitioner's submittal sought an additional \$14,891.84 in costs for transporting, disposing, and backfilling 500 tons of soil that originally had been thought to be clean overburden. So what changed? Was the soil contaminated, warranting disposal at the landfill? If so, what was the nature and extent of the contamination? Again, while there may well be answers to these questions that would justify the amendment, those answers were not set forth in the Petitioner's submittal.

The Petitioner makes much of the difficulty of the site and of its workings with a neighbor. While that might well contribute to the difficulty of working on a site, alter the scope of work, and increase the costs of that work, the justification for an expanded scope and for higher costs needs to be set forth in the submittal to Illinois EPA. Conclusory assertions such as “An additional \$22,129.50 in personnel time for that time period is requested” for a CAP and Budget do not justify to Illinois EPA that the requested costs are not “used for corrective action activities in excess of those necessary to meet the minimum requirements of the Act and regulations.” 35 Ill. Adm. Code 734.510(b).

C. THE PETITIONER FAILED TO PROVE THAT THE ALLEGED ORAL AUTHORIZATIONS THAT IT RELIES UPON FOR THE EXPANDED SCOPE AND ADDITIONAL REQUESTED COSTS EXISTED IN THE RECORD BEFORE THE AGENCY AT THE TIME OF ITS DECISION.

As the Petitioner does not argue that Illinois EPA misread its CAP Budget amendment or overlooked submitted documentation, it argues instead that two Illinois EPA employees, who could not testify to the contrary, verbally approved an expanded scope of work and additional costs that resulted in the additional \$104,163.03 in requested costs. The Petitioner essentially argues that it had a contract with Illinois EPA for the Agency to approve and reimburse costs incurred by the Petitioner that were allegedly authorized orally by Cliff Wheeler and Sam Hale. Of course, the Petitioner has no documentation of this authorization.

Regardless, the Court of Claims has exclusive jurisdiction to hear and determine “[a]ll claims against the State founded upon any contract entered into with the State of Illinois,” 705 ILCS 505/8(b), and that body has held that “oral or implied contracts purportedly entered into by State entities may only be enforceable when services provided to the State were of an emergency nature.” *Melvin v. State*, 41 Ill. Ct. Cl. 88, 100 (1989). Here, no emergency existed, as the 2011

submittal is a collection of costs incurred dating back to 2006 for the preparation of such non-emergency items as applications, plans, budgets, and reports. Thus, the Board should not lend credence to the Petitioner's oral contract argument.

Most significant, though, is the fact that if two Illinois EPA employees had orally authorized the scope of work and costs incurred that are the subject of the Petitioner's submittal, the Petitioner failed to prove that this authorization existed in the record before the Agency at the time of its decision on the 2011 CAP Budget amendment.

V. CONCLUSION

The Petitioner failed to prove that the record before the Agency when it reached its decision provided justification for the \$104,163.03 in additional costs that they were not "used for corrective action activities in excess of those necessary to meet the minimum requirements of the Act and regulations." 35 Ill. Adm. Code 734.510(b). Consequently, the Board should affirm Illinois EPA's March 20, 2012 decision to reject the Petitioner's Corrective Action Plan Budget amendment, as the Petitioner has failed to meet its burden to show that its submittal would not violate the Act and Board regulations.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Respondent,

Dated: July 11, 2014

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BY:



Scott B. Sievers
Special Assistant Attorney General

Broadus Oil Co. v. Illinois Environmental Protection Agency
Pollution Control Board No. 12-124

CERTIFICATE OF SERVICE

Scott B. Sievers, Special Assistant Attorney General, herein certifies that he has served a copy of the foregoing **MOTION FOR LEAVE TO FILE RESPONDENT'S CLOSING**

BRIEF INSTANTER upon:

John T. Therriault
Assistant Clerk
Illinois Pollution Control Board
100 West Randolph Street, Suite 11-500
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Robert M. Riffle, Esq.
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Carol Webb
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
P.O. Box 19274
Springfield, IL 62794-9274

by mailing true copies thereof to the addresses referred to above in envelopes duly addressed bearing proper first class postage and deposited in the United States mail at Springfield, Illinois, on July 11, 2014.


Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Dated: July 11, 2014

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