

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

NORM CREVELING,)
)
Petitioner,)
)
v.)
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

PCB 15-169
(UST Appeal)

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STATE OF ILLINOIS
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NOTICE



ORIGINAL

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

Jennifer M. Martin
Hodge Dwyer & Driver
3150 Roland Avenue
P.O. Box 5776
Springfield, IL 62705

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 RECORD *INSTANTER* with the Illinois Pollution Control Board, a copy of which is served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Respondent,

Dated: August 11, 2015

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

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MOTION FOR LEAVE TO FILE RECORD *INSTANTER*

NOW COMES the Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY ("Illinois EPA"), by and through its attorney, Special Assistant Attorney General Scott B. Sievers, and moves for leave to file the record *instanter*. In support, the Respondent states the following:

1. On July 9, 2015 this Board entered an order providing for Illinois EPA to file the entire record of its determination by July 20, 2015.

2. Identifying and retrieving documents for inclusion in the record has required Illinois EPA to search its electronic and paper files back to 2001, to have the Illinois Department of Central Management Services conduct a search of archived e-mail messages and attachments, and to have Illinois EPA staff review documents comprising more than 1,900 pages. The page volume required that the record be sent to the Respondent's print shop for production rather than to the printers or photocopiers typically used. As a result of the effort involved, the Respondent needed additional time to prepare and file the record.

3. Consequently, the Respondent now moves for leave to file the record *instanter*.

WHEREFORE, the Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, prays that the honorable Hearing Officer ALLOW the Respondent's MOTION FOR LEAVE TO FILE RECORD *INSTANTER*.

Dated: August 11, 2015

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

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Respondent,

BY:



Scott B. Sievers
Special Assistant Attorney General

Norm Creveling v. Illinois Environmental Protection Agency
Pollution Control Board No. 15-169

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STATE OF ILLINOIS
Pollution Control Board

CERTIFICATE OF SERVICE

Scott B. Sievers, Special Assistant Attorney General, herein certifies that he has served

copy of the foregoing **MOTION FOR LEAVE TO FILE RECORD INSTANTER** upon:

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

Jennifer M. Martin
Hodge Dwyer & Driver
3150 Roland Avenue
P.O. Box 5776
Springfield, IL 62705

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 August 11, 2015.

Respectfully submitted,


ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Dated: August 11, 2015

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

Respondent,

BY:



Scott B. Sievers
Special Assistant Attorney General

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CERTIFICATE OF RECORD ON APPEAL

Pursuant to 35 Ill. Adm. Code 105.116(b) and 105.410, the following constitutes an index of documents comprising the record:

PAGES	DOCUMENT	DATE
0001-0001	Illinois HazMat Report	11/20/2000
0002-0003	20-Day Certification	12/06/2000
0004-0004	Early Action extension request	11/21/2000
0005-0008	Illinois EPA letter	01/17/2001
0009-0026	45-Day Report	01/17/2001
0027-0028	Illinois EPA letter	02/13/2001
0029-0153	45-Day Amendment Report	03/19/2001
0154-0155	Illinois EPA letter	04/20/2001
0156-0176	Site Classification Work Plan Budget	03/30/2001
0177-0198	Site Classification Work Plan	04/02/2001
0199-0202	LUST Technical Review Notes	09/24/2001
0203-0212	Illinois EPA letter	09/27/2001
0213-0238	Site Classification Work Plan Budget	10/12/2001
0239-0243	Illinois EPA letter	02/22/2002
0244-0352	Site Classification Completion Report	08/08/2002
0353-0370	Site Classification Work Plan Budget Amendment No. 1	08/08/2002
0371-0379	Illinois EPA letter	12/17/2002

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0380-0386	Illinois EPA letter	12/18/2002
0387-0406	HDC Engineering letter	04/03/2003
0407-0411	HDC Engineering letter	04/17/2003
0412-0412	HDC Engineering letter	05/01/2003
0413-0415	Illinois EPA letter	07/30/2003
0416-0420	HDC Engineering letter	08/07/2003
0421-0440	High Priority Corrective Action Plan	08/20/2003
0441-0462	High Priority Corrective Action Plan Budget	08/20/2003
0463-0470	Illinois EPA letter	01/09/2004
0471-0471	High Priority Corrective Action Plan Budget	01/14/2004
0472-0475	HDC Engineering facsimile	01/15/2004
0476-0479	Illinois EPA letter	04/16/2004
0480-0490	HDC Engineering letter	04/20/2004
0491-0491	Illinois EPA letter	06/18/2004
0492-0718	High Priority Corrective Action Plan	09/27/2004
0719-0719	Source Water Assessment Program (SWAP)	01/11/2005
0720-0725	Illinois EPA letter	01/13/2005
0726-0752	High Priority Corrective Action Plan Budget	02/15/2005
0753-0757	Illinois EPA letter	05/02/2005
0758-0860	Corrective Action Status Report	04/2006
0861-1416	High Priority Corrective Action Plan and Budget	03/17/2009
1417-1423	Illinois EPA letter	07/14/2009
1424-1424	E-mail	09/22/2010
1425-1427	E-mail attachment	09/22/2010
1428-1441	Corrective Action Plan Budget Amendment No. 2	11/22/2010
1442-1444	Illinois EPA letter	01/03/2011
1445-1540	Corrective Action Plan and Budget	05/24/2011
1541-1541	E-mail	06/10/2011
1542-1543	E-mail	06/15/2011
1544-1548	Illinois EPA letter	09/14/2011

1549-1674	Corrective Action Plan Amendment No. 2 and Budget	12/13/2011
1675-1676	MSA Professional Services facsimile	04/12/2012
1677-1684	Illinois EPA letter	04/30/2012
1685-1685	E-mail	01/31/2013
1686-1686	E-mail	06/20/2013
1687-1687	E-mail	12/04/2013
1688-1688	E-mail Figure 3	12/04/2013
1689-1689	E-mail	12/10/2013
1690-1690	E-mail	03/03/2014
1691-1691	E-mail Figure 3	03/03/2014
1692-1692	E-mail	08/19/2014
1693-1881	Corrective Action Plan and Budget Amendment No. 3	10/08/2014
1882-1884	Project Labor Agreement Determination	02/03/2015
1885-1886	CAP Technical Review Notes #1	
1887-1890	CAP Technical Review Notes #2	
1891-1891	CAP Technical Review Notes #3	
1892-1902	CAP Technical Review Notes #4	
1903-1913	CAP Technical Review Notes #5	
1914-1919	CAP Technical Review Notes #6	
1920-1926	CAP Technical Review Notes #7	
1927-1928	CAP Technical Review Notes #8	
1929-1930	CAP Technical Review Notes #9	
1931-1932	CAP Technical Review Notes #10	
1933-1933	E-mail	02/09/2015
1934-1934	E-mail	02/09/2015
1935-1935	E-mail	02/09/2015
1936-1936	E-mail	02/09/2015
1937-1938	PVI Incomplete Pathway Checklist	02/11/2015
1939-1954	Illinois EPA letter	02/11/2015

I, TRENT BENANTI, certify on information and belief that the entire record of the Respondent's decision, as defined in 35 Ill. Adm. Code 105.410(b), is hereby enclosed.

BY: Trent Benanti
Trent Benanti
Project Manager/Environmental Protection Engineer III
Leaking Underground Storage Tank Section
Illinois Environmental Protection Agency