



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-2829

BRUCE RAUNER, GOVERNOR

LISA BONNETT, DIRECTOR

(217) 782-5544
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April 13, 2016

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CLERK'S OFFICE

APR 18 2016

STATE OF ILLINOIS
Pollution Control Board

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

**Re: Distressed Properties, Inc. v. Illinois EPA
PCB 15-108, 16-32, and 16-46 (consolidated)
(UST Appeal)**

Dear Clerk Therriault:

Enclosed please find for filing an original, paper copy of a Certificate of Record on Appeal and the accompanying supplement to the administrative record as well as a text-searchable version on a compact disk.

Sincerely,

Scott B. Sievers
Special Assistant Attorney General

Enclosures

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

DISTRESSED PROPERTIES, INC.,)
)
Petitioner,)
)
v.)
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

PCB 15-108
PCB 16-32
PCB 16-46
(UST Appeal)
(Consolidated)

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STATE OF ILLINOIS
Pollution Control Board

NOTICE

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

Elizabeth S. Harvey
Swanson, Martin & Bell, LLP
330 North Wabash
Suite 3000
Chicago, Illinois 60611

Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
100 W. Randolph Street
Chicago, Illinois 60601

 ORIGINAL

PLEASE TAKE NOTICE that I have today caused to be filed a CERTIFICATE OF RECORD ON APPEAL with the Illinois Pollution Control Board, a copy of which is served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Respondent,

Dated: April 13, 2016

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

| | | |
|------------------------------|---|----------------|
| DISTRESSED PROPERTIES, INC., |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| v. |) | PCB 15-108 |
| |) | PCB 16-32 |
| ILLINOIS ENVIRONMENTAL |) | PCB 16-46 |
| PROTECTION AGENCY, |) | (UST Appeal) |
| |) | (Consolidated) |
| Respondent. |) | |


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 |
|--------------|--|-------------|
| 0001-0010 | OSFM letter /information | 8/24/2001 |
| 0011-0144 | Corrective Action Plan | 2/9/2004 |
| 0145-0153 | Agency Review Notes | 5/17/2004 |
| 0154-0158 | Agency Corrective Action Plan approval letter | 5/20/2004 |
| 0159-0194 | Reimbursement claim for \$29,376.65 | 8/12/2004 |
| 0195-0445 | Corrective Action Plan | 1/24/2005 |
| 0446-0457 | Agency Review Notes | 5/18/2005 |
| 0458-0465 | Agency Corrective Action Plan rejection letter | 5/19/2005 |
| 0466-0512 | Corrective Action Plan | 8/15/2005 |
| 0513-0543 | Agency Review Notes | 10/31/2005 |
| 0544-0551 | Agency Corrective Action Plan approval with modifications letter | 11/2/2005 |
| 0552-0601 | Reimbursement claim for \$70,376.00 | 5/15/2006 |
| 0602-0672 | Reimbursement claim for \$101,575.92 | 3/5/2007 |
| 0673-0757 | Progress Report | 4/23/2009 |
| 0758-0836 | Reimbursement claim for \$98,172.00 | 12/30/2009 |
| 0837-1128 | Corrective Action Completion Report Volume I | 3/07/2014 |
| 1129-1379 | Corrective Action Completion Report Volume II | 3/07/2014 |

| | | |
|-----------|--|-------------|
| 1380-1639 | Corrective Action Completion Report Volume III | 3/07/2014 |
| 1640-1649 | Agency Review Notes | 3/26/2014 |
| 1650-1656 | Agency No Further Remediation letter (recorded) | 4/18/2014 |
| 1657-1665 | Agency reimbursement denial letter (subject of the appeal) | 11/26/2014 |
| 1666-1699 | Agency reimbursement review notes and documents | 11/26/2014 |
| 1700-1804 | Reimbursement claim for \$86,434.77 | 11/26/2014 |
| 1805-1815 | Agency tracking spreadsheet | 11/26/2014 |
| 1816-1822 | Agency reimbursement denial letter | 06/18/2015 |
| 1823 | Title XVI Payment Summary | 06/17/2015 |
| 1824-1830 | Agency Review Notes | 06/17/2015 |
| 1831-1832 | Queue Date Tracking Sheet and Notes | 03/12/2015. |
| 1833-1918 | Reimbursement claim for \$69,528.77 | 03/12/2015 |
| 1919-1924 | Agency reimbursement denial letter | 07/31/2015 |
| 1925 | Title XVI Payment Summary | 07/29/2015 |
| 1926-1928 | Agency Review Notes | 7/29/2015 |
| 1929 | Queue Date Tracking Sheet | unknown |
| 1930-1950 | Agency Review Notes | unknown |
| 1951 | Reimbursement claim for \$23,379.24 | 07/06/2015 |
| 1952 | Agency Review Notes | unknown |
| 1953-2018 | Reimbursement claim for \$23,379.24 (continued) | 07/06/2015 |

I, BRIAN BAUER, certify that the entire record of the Respondent's decisions, as defined in 35 Ill. Adm. Code 105.410(b), is hereby enclosed.

BY: 
 Brian Bauer
 Environmental Protection Specialist III
 Leaking Underground Storage Tank Section
 Illinois Environmental Protection Agency