

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:
PETITION OF MAXIMUM INVESTMENTS, LLC)
FOR A RULE OF GENERAL APPLICABILITY)

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JUN 25 2009

STATE OF ILLINOIS
Pollution Control Board

209-22

PETITION FOR A RULE OF GENERAL APPLICABILITY

A: Language of Proposed Rule

The review and evaluation services to be performed by the Agency under 415 ILCS 5/22.2b(a)3 shall be identical in all respects to the Agency review, evaluation and approval activities that the Agency performs under the Site Remediation Program and the fees and costs shall be the same as under the Site Remediation Program. A Site Remediation Application shall serve as the written request that the Agency provide review and evaluation services. The Application shall be signed by the prospective purchaser. The signature of the property owner shall not be required on the Application if the prospective purchaser holds a lien on the property. If the signature of the owner is not included, the prospective purchaser shall agree to enroll the property in the Site Remediation Program upon obtaining title and the prospective purchaser shall receive credit for all fees paid hereunder against the costs of enrollment.

B: Reasons Supporting the Proposal

There is currently no regulation defining the review and evaluation services to be performed under 415 ILCS 5/22.2b(a)3. Special procedures must be included for lien holders to submit an application without an owner's signature because lien holders often do not have the co-operation of the owner when seeking to foreclose on their lien.

C: Synopsis of Testimony

Petitioner will testify as to his difficulties in applying for the limit of liability contemplated by 415 ILCS 5/22.2b.

D: Material Incorporated by Reference

None

E: Published Studies and Research Reports

None

F: Waiver Request from Rule Requiring 200 Signatures

Petitioner hereby requests a waiver from 102.202g requiring a petition signed by at least 200 persons. Peitioner is a small business as defined under 5 ILCS 100/1-75. Compliance with this provision would impose an undue burden upon Petitioner. Further, the proposed Rule is of limited interest to the public being wholly procedural in nature.

Submitted by



Richard Rosenbaum, Manager
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Skokie, IL 60076

847-673-9010

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Certificate of Service

I, the undersigned, certify that I have served the attached Petition for an Adjusted Standard, by depositing in the US Postal Service first class postage prepaid on June 22 , 2009, upon the following persons:

Pollution Control Board, Clerk
100 W Randolph
Thompson Center, Suite 11-500
Chicago, IL 60601-3218

Division of Legal Counsel
Illinois EPA
1021 N Grand Ave East
PO Box 19276
Springfield, IL 61794-9276

Division Chief of Environmental
Enforcement
Office of Attorney General
188 W Randolph
Chicago, IL 60601

Office of Legal Services
Dept. of Natural Resources
524 S Second St
Springfield, IL 62701-1787



Richard Rosenbaum