

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

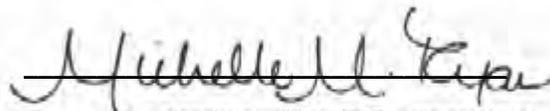
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	AC 11-28
)	
v.)	(IEPA No. 125-11-AC)
)	
THAD SHAFER,)	
)	
Respondent.)	

NOTICE OF FILING

To: Thad Shafer
984 US Route 40
Jewett, IL 62436

PLEASE TAKE NOTICE that on this date I electronically filed with the Clerk of the Pollution Control Board of the State of Illinois the following instrument(s) entitled COMPLAINANT'S STATEMENT OF HEARING COSTS and MOTION TO FILE INSTANTER.

Respectfully Submitted,



Michelle M. Ryan
Special Assistant Attorney General

Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276
(217) 782-5544

Dated: August 13, 2012

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	AC 2011-028
)	
v.)	(IEPA No. 125-11-AC)
)	
THAD SHAFER,)	
)	
Respondent.)	

COMPLAINANT'S STATEMENT OF HEARING COSTS

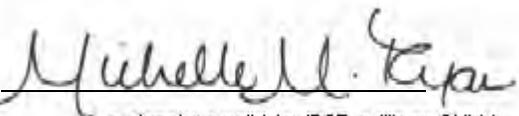
NOW COMES the Complainant, the ILLINOIS ENVIRONMENTAL PROTECTION AGENCY ("Illinois EPA"), by and through its attorney, Michelle M. Ryan, pursuant to 35 Ill. Adm. Code 108.502 and the Order of the Pollution Control Board ("Board") in this case dated July 26, 2012, and presents its Statement of Costs for this case as follows:

Mileage (Springfield-Toledo and return) 232 miles @ \$.50/mile	\$116.00
Copying/clerical/mailling fees (estimated)	\$35.00
	<hr/>
TOTAL CLAIMED:	\$151.00

WHEREFORE, the Complainant requests that the Board order the defendant to pay \$151.00 to Illinois EPA for its hearing costs in this case.

ILLINOIS EPA, Complainant,

DATED: August 13, 2012

BY: 
 e-signature valid for IPCB e-filings ONLY
 MICHELLE M. RYAN
 Special Assistant Attorney General
 1021 North Grand Avenue East
 Springfield, IL 62702-4059
 (217) 782-5544

STATE OF ILLINOIS)
) SS
COUNTY OF SANGAMON)

AFFIDAVIT

I, Michelle M. Ryan, being first duly sworn upon oath, depose and state as follows:

1. I am employed by the Illinois Environmental Protection Agency (“Illinois EPA”), as Assistant Counsel for the Bureau of Land.

2. As part of my duties, I am responsible for the preparation of Administrative Citations issued by the Illinois EPA and the negotiation and litigation of appeals filed pursuant to such Administrative Citations. As part of my job experience, I have also submitted travel vouchers for reimbursement.

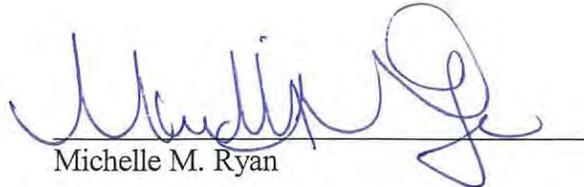
3. I have reviewed the Illinois EPA Division of Legal Counsel File 125-11-AC, which relates to AC 2011-028, *Illinois EPA v. Thad Shafer*, for the purpose of determining the costs expended by Illinois EPA.

4. I was the Illinois EPA attorney assigned to handle the hearing for AC 2011-028, which was held in Toledo. I was required to travel from Springfield to Toledo and back for the hearing. The Illinois Department of Transportation map of the State of Illinois indicates that the distance between Springfield and Toledo is 116 miles. Based on my own job experience, I am aware that the approved mileage reimbursement rate in March 2012 was \$.50 per mile.

5. As the attorney currently assigned to handle Administrative Citations, I am aware that Illinois EPA incurs costs for copying documents, preparation of documents for mailing and service, and certified and first class mailings. Based upon my review of File 125-11-AC, I estimate that these

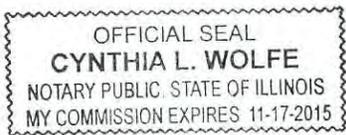
costs expended by Illinois EPA on this Administrative Citation through the hearing date approximate \$35.00.

FURTHER AFFIANT SAYETH NOT.


Michelle M. Ryan

Subscribed and Sworn to before
me this 13th day of August, 2011.


Notary Public



BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	AC 11-28
)	
v.)	(IEPA No. 125-11-AC)
)	
THAD SHAFER,)	
)	
Respondent.)	

MOTION TO FILE INSTANTER

NOW COMES the Complainant, the Illinois Environmental Protection Agency (“Illinois EPA”), by and through its attorney, Michelle M. Ryan, pursuant to 35 Ill. Adm. Code 101.522, and respectfully states as follows:

(1) Pursuant to the Interim Order issued in this matter on July 26, 2012, Complainant’s Statement of Costs was due on August 9, 2012.

(2) Due primarily to an organizational error, the Statement of Costs was filed on August 13, one working day for the assigned attorney following the due date.

(3) The Pollution Control Board (“Board”) in its July 26, 2012 order allowed Respondent 30 days from the date of service to respond to Complainant’s Statement of Costs, so no prejudice will result from the granting of this motion to file instanter.

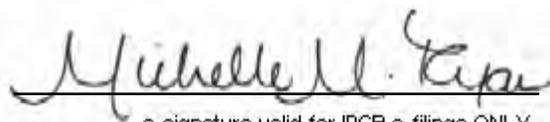
(4) Pursuant to 35 Ill. Adm. Code 101.522, the Board may allow for an extension of time for filing any document either before or after the due date.

(5) No prejudice will result to the Board by granting this motion, because this case does not contain a statutory decision deadline.

WHEREFORE, Illinois EPA requests that the Board grant this Motion to File Instantly and accept Complainant's Post-Hearing Brief as timely filed.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,
Complainant

DATED: August 13, 2012

A handwritten signature in black ink that reads "Michelle M. Ryan". The signature is written in a cursive style and is positioned above a horizontal line.

e-signature valid for IPCB e-filings ONLY

Michelle M. Ryan
Special Assistant Attorney General

Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276
(217) 782-5544

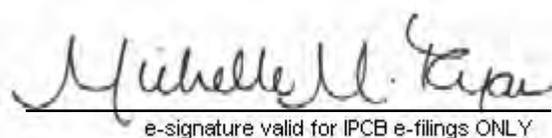
PROOF OF SERVICE

I hereby certify that I did on the 13th day of August, 2012, send by U.S. Mail with postage thereon fully prepaid, by depositing in a United States Post Office Box a true and correct copy of the following instrument(s) entitled COMPLAINANT'S STATEMENT OF HEARING COSTS and MOTION TO FILE INSTANTER

To: Thad Shafer
984 US Route 40
Jewett, IL 62436

and an electronic copy of the same foregoing instrument on the same date via electronic filing

To: John Therriault, Clerk
Pollution Control Board
James R. Thompson Center
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601



e-signature valid for IPCB e-filings ONLY

Michelle M. Ryan
Special Assistant Attorney General

Illinois Environmental Protection Agency
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