

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

IN THE MATTER OF: )  
)  
PETITION OF APEX MATERIAL )  
TECHNOLOGIES, LLC FOR AN ) AS 2015-002  
ADJUSTED STANDARD FROM ) (Adjusted Standard – Land)  
PORTIONS OF 35 ILL. ADM. CODE )  
807.104 and 810.103, OR, IN THE )  
ALTERNATIVE, A FINDING OF )  
INAPPLICABILITY. )

**Notice of Filing**

TO: Mr. John Therriault  
Clerk of the Board  
Illinois Pollution Control Board  
James R. Thomson Center  
100 W. Randolph Street  
Suite 11-500  
Chicago, Illinois 60601-3218

Mr. Bradley P. Halloran  
Hearing Officer  
Illinois Pollution Control Board  
James R. Thomson Center  
100 W. Randolph Street  
Suite 11-500  
Chicago, Illinois 60601-3218

Michelle Ryan  
Division of Legal Counsel  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, IL 62974-9276

**PLEASE TAKE NOTICE** that on this 21st day of November 2014, I have filed with the Office of the Clerk of the Illinois Pollution Control Board the following documents entitled *Entry of Appearance of Daniel R. Lavoie and Verified Statement of Out-of-State Attorney Pursuant to Supreme Court Rule 707*, which are attached and herewith served upon you.

Respectfully Submitted,

Apex Material Technologies, LLC

By: /s/ Michael J. Tenuto  
Michael J. Tenuto

Dated: November 21, 2014

Joseph L. Pellis II  
PELLIS LAW GROUP, LLP  
901 Warrenville Road, Suite 205  
Lisle, IL 60532  
t: (630) 442-5500  
f: (630) 442-5519

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INAPPLICABILITY. )

**ENTRY OF APPEARANCE OF DANIEL R. LAVOIE**

The undersigned, Daniel R. Lavoie, of the law firm Pellis Law Group, LLP, enters his appearance in this matter on behalf of APEX Material Technologies, LLC.

Respectfully Submitted,

By: /s/ Daniel R. Lavoie  
Daniel R. Lavoie

Dated: November 21, 2014

Daniel R. Lavoie  
PELLIS LAW GROUP, LLP  
570 Seventh Avenue, 20<sup>th</sup> Floor  
New York, New York 10018  
t: (646) 666-8353  
f: (630) 442-5519

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**Verified Statement of Out-of-State Attorney Pursuant to Supreme Court Rule 707**

I, Daniel Rocco Lavoie, submit this Verified Statement pursuant to Illinois Supreme Court Rule 707.

1. My full name is Daniel Rocco Lavoie. The address of the office from which I practice law and related email address and telephone numbers are as follows:

Pellis Law Group, LLP  
570 Seventh Avenue, 20<sup>th</sup> Floor  
New York, New York 10018  
(646) 666-8353  
dlavoie@pellislaw.com

2. I represent Petitioner APEX Material Technologies, LLP in the matter of *Petition of APEX Material Technologies, LLC for an Adjusted Standard from Portions of 35 Ill. Adm. Code 807.104 and 810.103, or, in the Alternative, a Finding of Inapplicability* before the Illinois Pollution Control Board. The case number is: AS 2015-002.

3(a). I list below all proceedings in which I have filed an appearance pursuant to this rule in this calendar year.

PQ Corporation v. Lexington Insurance Company  
Case No. 13-cv-03482  
United States District Court for the Northern District of Illinois

3(b). I have not received a registration number from the ARDC.

4(a). I list each jurisdiction of admission, including any state, territory, or commonwealth of the United States, the District of Columbia, or in a foreign country, and my full admission name and license number.

New York, Daniel Rocco Lavoie, Registration Number: 2684785  
New Jersey, Daniel R. Lavoie, Attorney ID: 054631994

Massachusetts, Daniel R. Lavoie, Board of Bar Overseers Number: 649260

4(b). I attach a letter or certificate of good standing for each of the jurisdictions listed in paragraph 4(a) above.

5. Pellis Law Group, LLP has office locations in both Illinois and New York. As stated in Paragraph 1, I practice law from the New York office of the law firm. For reference, the address of each office is as follows:

Pellis Law Group, LLP  
570 Seventh Avenue, 20<sup>th</sup> Floor  
New York, New York 10018  
(646) 666-8353

Pellis Law Group, LLP  
901 Warrenville Road, Suite 205  
Lisle, Illinois 60532  
(630) 442-5500

6. I submit to the disciplinary authority of the Supreme Court of Illinois.

7. I have undertaken to become familiar with and to comply, as if admitted to practice in Illinois, with the rules of the Supreme Court of Illinois, including the Illinois Rules of Professional Conduct and the Supreme Court Rules on Admission and Discipline of Attorneys, and other Illinois law and practices that pertain to the proceeding.

8. The full name, business address and ARDC number of the Illinois attorney with whom I have associated in the matter is:

Joseph L. Pellis II  
Pellis Law Group, LLP  
901 Warrenville Road, Suite 205  
Lisle, Illinois 60532  
(630) 442-5500  
jpellis@pellislaw.com  
ARDC Number: 6298127

9. I certify that I have served this Statement upon the following parties, and that these parties are all entitled to service under this rule.

Mr. John Therriault  
Clerk of the Board  
Illinois Pollution Control Board  
James R. Thomson Center  
100 W. Randolph Street  
Suite 11-500  
Chicago, Illinois 60601-3218

Mr. Bradley P. Halloran  
Hearing Officer  
Illinois Pollution Control Board  
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Michelle Ryan  
Division of Legal Counsel  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, IL 62974-9276

10. I certify that I have served this statement on the Administrator of the Attorney Registration and Disciplinary Commission via email at: Rule707@iadc.org.

Verification

I verify the accuracy and completeness of each of the above statements.

/s/ Daniel R. Lavoie

Daniel R. Lavoie, *Esq.*

PELLIS LAW GROUP, LLP

570 Seventh Avenue, 20<sup>th</sup> Floor

New York, New York, 10018

t: +1 (646) 666-8353

f: +1 (630) 442-5519

dlavoie@pellislaw.com

**Appellate Division of the Supreme Court  
of the State of New York  
First Judicial Department**

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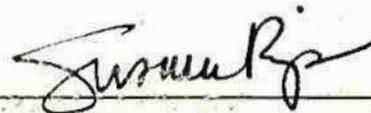
I, Susanna Rojas, Clerk of the Appellate Division of the Supreme Court of the State of New York, First Judicial Department, certify that

**DANIEL ROCCO LAVOIE**

was duly licensed and admitted to practice as an Attorney and Counsellor at Law in all the courts of the State of New York on **May 1, 1995**, has duly taken and subscribed the oath of office prescribed by law, has been enrolled in the Roll of Attorneys and Counsellors at Law on file in my office, has duly registered with the administrative office of the courts, and according to the records of this court is in good standing as an attorney and counsellor at law.

In Witness Whereof, I have hereunto set my hand and affixed the seal of this court on

**November 13, 2014**



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Clerk of the Court

# Supreme Court of New Jersey



## Certificate of Good Standing

This is to certify that **DANIEL R LAVOIE**  
(No. **054631994** ) was constituted and appointed an Attorney at Law of New Jersey on **March 29, 1995** and, as such, has been admitted to practice before the Supreme Court and all other courts of this State as an Attorney at Law, according to its laws, rules, and customs.

I further certify that as of this date, the above-named is an Attorney at Law in Good Standing. For the purpose of this Certificate, an attorney is in "Good Standing" if the Court's records reflect that the attorney: 1) is current with all assessments imposed as a part of the filing of the annual Attorney Registration Statement, including, but not limited to, all obligations to the New Jersey Lawyers' Fund for Client Protection; 2) is not suspended or disbarred from the practice of law; 3) has not resigned from the Bar of this State; and 4) has not been transferred to Disability Inactive status pursuant to Rule 1:20-12.

Please note that this Certificate does not constitute confirmation of an attorney's satisfaction of the administrative requirements of Rule 1:21-1(a) for eligibility to practice law in this State.



In testimony whereof, I have  
hereunto set my hand and  
affixed the Seal of the  
Supreme Court, at Trenton, this  
day of \_\_\_\_\_, 20  
**17TH** November **14**

Clerk of the Supreme Court

**COMMONWEALTH OF MASSACHUSETTS**

SUFFOLK, SS.

BE IT REMEMBERED, that at the Supreme Judicial Court holden at Boston within and for said County of Suffolk, on the **ninth** day of **January** A.D. **2001**, said Court being the highest Court of Record in said Commonwealth:

**Daniel R. Lavoie**

being found duly qualified in that behalf, and having taken and subscribed the oaths required by law, was admitted to practice as an Attorney, and, by virtue thereof, as a Counsellor at Law, in any of the Courts of the said Commonwealth: that said Attorney is at present a member of the Bar, and is in good standing according to the records of this Court\*.

In testimony whereof, I have hereunto set my hand and affixed the

seal of said Court, this **thirteenth** day of **November** in the year of our Lord **two thousand and fourteen.**



*Maura S. Doyle*

**MAURA S. DOYLE, Clerk**

\* Records of private discipline, if any, such as a private reprimand imposed by the Board of Bar Overseers or by any court, are not covered by this certification.

**CERTIFICATE OF SERVICE**

I, Michael J. Tenuto, the undersigned, an attorney, certify that I have served the attached

**Entry of Appearance of Daniel R. Lavoie and Verified Statement of Out-of-State Attorney**

**Pursuant to Supreme Court Rule 707**, upon:

Mr. John Therriault  
Clerk of the Board  
Illinois Pollution Control Board  
James R. Thomson Center  
100 W. Randolph Street  
Suite 11-500  
Chicago, Illinois 60601-3218

via Electronic Filing and via FedEx on November 21, 2014; and upon:

Mr. Bradley P. Halloran  
Hearing Officer  
Illinois Pollution Control Board  
James R. Thomson Center  
100 W. Randolph Street  
Suite 11-500  
Chicago, Illinois 60601-3218

via FedEx on November 21, 2014; and upon:

Michelle Ryan  
Division of Legal Counsel  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
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Springfield, IL 62974-9276

via FedEx on November 21, 2014.

/s/ Michael J. Tenuto  
Michael J. Tenuto