



EAGLE ENVIRONMENTAL CONSULTANTS, LLC

July 2, 2018

Clerk
Illinois Pollution Control Board
State of Illinois Center
100 West Randolph, Suite 11-500
Chicago, Illinois 60601
(312) 814-3620

RECEIVED
CLERK'S OFFICE

JUL 05 2018

STATE OF ILLINOIS
Pollution Control Board

RE: Reliable Stores, Inc Facility No. 2025658
C/O Varghese Vallikalam IEMA Incident No. 20180158
905 West Roosevelt Road Roosevelt 66
Maywood, IL 60153 905 W. Roosevelt
Maywood, Cook, IL 60153

Dear Clerk:

Eagle Environmental Consultants, LLC, on behalf of our client, Mr. Varghese Vallikalam respectfully submits this letter to appeal the June 12, 2018 decision by the Office of the State Fire Marshal (OSFM) to deny eligibility/deductibility from the leaking underground storage tank fund pursuant to Section 57.9 (c) (2). An owner or operator who seeks to appeal the decision shall file a petition for a hearing before the Board within 35 days of the date of issuance of the final decision, (35 Illinois Administrative Code 105.504(b)).

Please consider this letter our request to petition for a hearing on this matter.

Should you have any questions or require additional information, please do not hesitate to call me 630-940-2540 x102.

Sincerely,
Eagle Environmental Consultants, LLC

Brian S. Morin
Vice President

Attachment: June 12, 2018 Letter from OSFM



**Office of the Illinois
State Fire Marshal**

6/12/2018

Reliable Stores, Inc
C/O Varghese Vallikalam
905 West Roosevelt Road
Maywood, IL 60153

In Re: Facility No. 2025658
IEMA Incident No. 20180158
Roosevelt 66
905 W. Roosevelt
Maywood, Cook, IL 60153

Dear Applicant:

The Reimbursement Eligibility and Deductible Application received on May 09, 2018 for the above referenced occurrence has been reviewed. The following determinations have been made based upon this review.

It has been determined that you are ineligible to seek payment of costs of corrective action or indemnification associated with the following tanks:

Tank 6 12000 gallon Gasoline
Tank 7 8000 gallon Gasoline

An owner or operator is eligible to access the Underground Storage Tank Fund if the eligibility requirements are satisfied:

1. Neither the owner nor the operator is the United States Government,
2. The tank does not contain fuel which is exempt from the Motor Fuel Tax Law,
3. The costs were incurred as a result of a confirmed release of any of the following substances:
 - "Fuel", as defined in Section 1.19 of the Motor Fuel Tax Law
 - Aviation fuel
 - Heating oil
 - Kerosene
 - Used oil, which has been refined from crude oil used in a motor vehicle, as defined in Section 1.3 of the Motor Fuel Tax Law.
4. The owner or operator registered the tank and paid all fees in accordance with the statutory and regulatory requirements of the Gasoline Storage Act.
5. The owner or operator notified the Illinois Emergency Management Agency of a confirmed release, the costs were incurred after the notification and the costs were a result of a release of a substance listed in this Section. Costs of corrective action or indemnification incurred before providing that notification shall not be eligible for payment.
6. The costs have not already been paid to the owner or operator under a private insurance policy, other written agreement, or court order.
7. The costs were associated with "corrective action".

You are ineligible for reimbursement from the fund for the following reason(s):

Received, Clerk's Office 7/3/2018 * * PCB 2019-002 * *
Tank 6 12000 gallon Gasoline - Non UST related release - (415 ILCS 5/57.9) .

Tank 7 8000 gallon Gasoline - Non UST related release - (415 ILCS 5/57.9) .

This constitutes the final decision as it relates to your eligibility and the set deductible. We reserve the right to change the deductible determination should additional information that would change the determination become available. An underground storage tank owner or operator may appeal the decision to the Illinois Pollution Control Board (Board), pursuant to Section 57.9 (c) (2). An owner or operator who seeks to appeal the decision shall file a petition for a hearing before the Board within 35 days of the date of issuance of the final decision, (35 Illinois Administrative Code 105.504(b)).

For information regarding the filing of an appeal, please contact:

Clerk
Illinois Pollution Control Board
State of Illinois Center
100 West Randolph, Suite 11-500
Chicago, Illinois 60601
(312) 814-3620

The following tanks are also listed for this site:

Tank 1 4000 gallon Gasoline
Tank 2 8000 gallon Gasoline
Tank 3 10000 gallon Gasoline
Tank 4 550 gallon Used Oil
Tank 5 500 gallon Heating Oil

Your application indicates that there has not been a release from these tanks under this incident number. You may be eligible to seek payment of corrective action costs associated with these tanks if it is determined that there has been a release from one or more of these tanks. Once it is determined that there has been a release from one or more of these tanks you may submit a separate application for an eligibility determination to seek corrective action costs associated with this/these tanks.

If you have any questions, please contact our Office at (217) 785-1020.

Sincerely,



Deanne Lock

Division of Petroleum and Chemical Safety