

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

CHATHAM BP, LLC,)
)
Petitioner,)
)
v.)
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

PCB 14-01
(UST Appeal)

RECEIVED
CLERK'S OFFICE
AUG 19 2013
STATE OF ILLINOIS
Pollution Control Board

 **ORIGINAL**

NOTICE

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

William D. Ingersoll
Brown, Hay & Stephens, LLP
205 S. Fifth Street, Suite 700
P.O. Box 2459
Springfield, IL 62705-2459

Carol Webb
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
P.O. Box 19274
Springfield, IL 62794-9274

PLEASE TAKE NOTICE that I have today caused to be filed a MOTION FOR LEAVE TO FILE ADMINISTRATIVE RECORD *INSTANTER* with the Illinois Pollution Control Board, a copy of which is served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Dated: August 15, 2013

Respondent,

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

CHATHAM BP, LLC,)	
)	
Petitioner,)	
)	
v.)	PCB 14-01
)	(UST Appeal)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

MOTION FOR LEAVE TO FILE
ADMINISTRATIVE RECORD *INSTANTER*

NOW COMES the Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, by and through its attorney, Special Assistant Attorney General Scott B. Sievers, and for Respondent’s Motion for Leave to File Administrative Record *Instanter* states the following:

1. On July 11, 2013, this honorable Board ordered the Respondent to “file the entire record of its determination by July 31, 2013, which is 30 days after the Board received Chatham BP’s petition.”
2. The undersigned did not receive his written appointment as a Special Assistant Attorney General (“SAAG”) from the Office of the Illinois Attorney General until after the July 31, 2013 date set forth by the Board. Until he received said appointment, the undersigned lacked lawful authority to sign and file documents with the Board on behalf of the Respondent.
3. The undersigned subsequently received his SAAG appointment, but was out of the office on vacation during the week of August 5-9, 2013. Shortly after returning to the office, the undersigned filed an Entry of Appearance as a SAAG representing the Respondent in this matter.
4. The Respondent now respectfully requests leave to file *instanter* the administrative

record, the original and four (4) duplicate copies of which accompany this motion.

5. The undersigned has conferred with counsel for the Petitioner, and Petitioner's counsel has no objection to the instant motion.

WHEREFORE, the Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, prays that this honorable Board or the honorable Hearing Officer ALLOW the Respondent's MOTION FOR LEAVE TO FILE ADMINISTRATIVE RECORD *INSTANTER*.

Respectfully submitted,

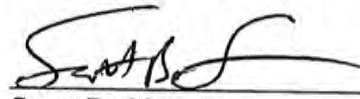
ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Respondent,

Dated: August 15, 2013

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

Chatham BP, LLC v. Illinois Environmental Protection Agency
Pollution Control Board No. 14-01

CERTIFICATE OF SERVICE

Scott B. Sievers, Special Assistant Attorney General, herein certifies that he has served a copy of the foregoing **MOTION FOR LEAVE TO FILE ADMINISTRATIVE RECORD**

INSTANTER upon:

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

William D. Ingersoll
Brown, Hay & Stephens, LLP
205 S. Fifth Street, Suite 700
P.O. Box 2459
Springfield, IL 62705-2459

Carol Webb
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
P.O. Box 19274
Springfield, IL 62794-9274

by mailing true copies thereof to the addresses referred to above in envelopes duly addressed bearing proper first class postage and deposited in the United States mail at Springfield, Illinois, on August 15, 2013.

Respectfully submitted,


ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Dated: August 15, 2013

Scott B. Sievers
Attorney Registration No. 6275924
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276
(217) 782-5544

Respondent,

BY:



Scott B. Sievers
Special Assistant Attorney General