

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

<b>In the Matter Of:</b>	)	
	)	
<b>JOHNS MANVILLE, a Delaware</b>	)	
<b>corporation,</b>	)	
	)	
<b>Complainant,</b>	)	<b>PCB No. 14-3</b>
	)	
<b>v.</b>	)	
	)	
<b>ILLINOIS DEPARTMENT OF</b>	)	
<b>TRANSPORTATION,</b>	)	
	)	
<b>Respondent.</b>	)	

**NOTICE OF FILING**

To: See Attached Service List

PLEASE TAKE NOTICE that on August 13, 2019, I caused to be filed with the Clerk of the Pollution Control Board of the State of Illinois, *Stipulations*, a copy of which is attached hereto and herewith served upon you via e-mail. Paper hardcopies of this filing will be made available upon request.

Dated: August 13, 2019

Respectfully submitted,

BRYAN CAVE LLP

Attorneys for Johns Manville

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**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

JOHNS MANVILLE, a Delaware corporation	)	
	)	
Complainant,	)	
	)	
v.	)	PCB No. 14-3
	)	(Citizen Suit)
	)	
ILLINOIS DEPARTMENT OF	)	
TRANSPORTATION,	)	
	)	
Respondent.	)	

**STIPULATIONS**

IT IS HEREBY STIPULATED AND AGREED, by and between all parties, that:

1. JM performed tasks with respect to Sites 3 and 6 that fall into the following “Task Bucket” categories, as identified in Section 3.2 and Exhibit F of the Expert Report of Douglas G. Dorgan Jr. on Damages Attributable to IDOT dated June 13, 2018 (“Dorgan Report”) and Section 3 of the Expert Rebuttal Report of Steven Gobelman on Damages Attributable to IDOT Based on IPCB Order of December 15, 2016 (“Gobelman Report”): (a) Nicor Gas Line; (b) City of Waukegan Water Line; (c) AT&T; (d) Utility/ACM Soils Excavation; (e) Northeast Excavation; (f) Northshore Gas; (g) Dewatering; (h) Filling and Capping; (i) Ramp Work; (j) General Site and Preparation Work; (k) Health and Safety; (l) USEPA Oversight; and (m) Costs for Legal/Legal Support Services (Manikas/Walker, -Wilcox & Matousek).

2. The parties do not dispute the overall amount of costs JM has incurred with respect to Sites 3 and 6 (\$5,579,794).

3. The parties do not dispute the amount of costs JM has incurred under each Task Bucket as set forth in Section 3.2 and Exhibit F of the Dorgan Report, Section 6 of the Gobelman Report and the Table below:

Task Bucket	Site 3	Site 6	Site 3 and 6	Total
Nicor Gas	\$218,090		\$360	\$218,450
City of Waukegan Water Line	\$61,037	\$86,674	0	\$147,711
AT&T	\$108,651	\$284,266	\$98,898	\$491,815
Utilities/ACM Soils Excavation	0	\$155,318	0	\$155,318
Northshore Gas	\$332,524	\$234,861	\$58,157	\$625,542
Northeast Excavation	\$49,934	0	0	\$49,934
Dewatering	\$259,084	\$160,587	\$39,175	\$458,846
Filling & Capping	\$426,254	\$310,353	\$352,012	\$1,088,619
Ramp	\$20,880	0	0	\$20,880
General Site/Site Preparation	\$932,730	\$807,329	\$74,300	\$1,814,359
Health & Safety				\$77,000
EPA Oversight	\$233,805	\$125,675	0	\$359,480
Legal Support Services			\$71,840	\$71,840

4. The parties do not dispute the reasonableness of costs set forth in the Table above in Paragraph #3.

Dated: August 13, 2019

Respectfully submitted,

**OFFICE OF THE ATTORNEY GENERAL  
AND THE ILLINOIS DEPARTMENT OF  
TRANSPORTATION**

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**CERTIFICATE OF SERVICE**

I, the undersigned, certify that on August 13, 2019, I caused to be served a true and correct copy of *Stipulations* upon all parties listed on the Service List by sending the documents via e-mail to all persons listed on the Service List, addressed to each person's e-mail address.

          /s/ Lauren J. Caisman  
Lauren J. Caisman

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