

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

VILLAGE OF HOMEWOOD,)	
HOMEWOOD ILLINOIS, VILLAGE OF)	
ORLAND PARK, ORLAND PARK)	
ILLINOIS, VILLAGE OF MIDLOTHIAN,)	
MIDLOTHIAN ILLINOIS, VILLAGE OF)	
TINLEY PARK, TINLEY PARK ILLINOIS,	)	PCB 16-14 (Homewood)
EXXONMOBIL OIL CORPORATION,	)	PCB 16-15 (Orland Park)
VILLAGE OF WILMETTE, WILMETTE	)	PCB 16-16 (Midlothian)
ILLINOIS, CITY OF COUNTRY CLUB	)	PCB 16-17 (Tinley Park)
HILLS, COUNTRY CLUB HILLS	)	PCB 16-18 (ExxonMobil)
ILLINOIS, NORAMCO-CHICAGO, INC.,	)	PCB 16-20 (Wilmette)
FLINT HILLS RESOURCES JOLIET LLC,	)	PCB 16-21 (Country Club Hills)
CITY OF EVANSTON, EVANSTON	)	PCB 16-22 (Noramco-Chicago)
ILLINOIS, VILLAGE OF SKOKIE,	)	PCB 16-23 (INEOS Joliet)
SKOKIE ILLINOIS, ILLINOIS	)	PCB 16-25 (Evanston)
DEPARTMENT OF TRANSPORTATION,	)	PCB 16-26 (Skokie)
METROPOLITAN WATER	)	PCB 16-27 (IDOT)
RECLAMATION DISTRICT OF	)	PCB 16-29 (MWRDGC)
GREATER CHICAGO, VILLAGE OF	)	PCB 16-30 (Richton Park)
RICHTON PARK, RICHTON PARK	)	PCB 16-31 (Lincolnwood)
ILLINOIS, VILLAGE OF	)	PCB 16-33 (Oak Forest)
LINCOLNWOOD, LINCOLNWOOD	)	PCB 19-7 (Village of Lynwood)
ILLINOIS, CITY OF OAK FOREST, OAK	)	PCB 19-8 (Citgo Holdings)
FOREST ILLINOIS, VILLAGE OF	)	PCB 19-9 (New Lenox)
LYNWOOD, LYNWOOD ILLINOIS,	)	PCB 19-10 (Lockport)
CITGO HOLDINGS, INC., VILLAGE OF	)	PCB 19-12 (Crest Hill)
NEW LENOX, NEW LENOX ILLINOIS,	)	PCB 19-13 (Joliet)
CITY OF LOCKPORT, LOCKPORT	)	PCB 19-14 (Morton Salt)
ILLINOIS, CATERPILLAR, INC., CITY	)	PCB 19-15 (Palos Heights)
OF CREST HILL, CREST HILL ILLINOIS,	)	PCB 19-16 (Romeoville)
CITY OF JOLIET, JOLIET ILLINOIS,	)	PCB 19-17 (IMTT Illinois)
MORTON SALT, INC., CITY OF PALOS	)	PCB 19-18 (Stepan)
HEIGHTS, PALOS HEIGHTS ILLINOIS,	)	PCB 19-19 (Park Forest)
VILLAGE OF ROMEOVILLE,	)	PCB 19-20 (Ozinga Ready Mix)
ROMEOVILLE ILLINOIS, IMTT	)	PCB 19-21 (Ozinga Materials)
ILLINOIS LLC, STEPAN CO., VILLAGE	)	PCB 19-22 (Midwest Marine)
OF PARK FOREST, PARK FOREST	)	PCB 19-23 (Mokena)
ILLINOIS, OZINGA READY MIX	)	PCB 19-24 (Oak Lawn)
CONCRETE, INC., OZINGA	)	PCB 19-25 (Dolton)
MATERIALS, INC., MIDWEST MARINE	)	PCB 19-26 (Glenwood)
TERMINALS LLC, VILLAGE OF	)	PCB 19-27 (Morton Grove)
MOKENA, MOKENA ILLINOIS,)	PCB 19-28 (Lansing)
VILLAGE OF OAK LAWN, OAK LAWN)	PCB 19-29 (Frankfort)

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ILLINOIS, VILLAGE OF DOLTON,) PCB 19-30 (Winnetka)
DOLTON ILLINOIS, VILLAGE OF) PCB 19-31 (La Grange)
GLENWOOD, GLENWOOD ILLINOIS,) PCB 19-33 (Channahon)
VILLAGE OF MORTON GROVE,) PCB 19-34 (CCDTH)
MORTON GROVE ILLINOIS, VILLAGE) PCB 19-35 (Niles)
OF LANSING, LANSING ILLINOIS,) PCB 19-36 (Skyway)
VILLAGE OF FRANKFORT,) PCB 19-37 (Elwood)
FRANKFORT ILLINOIS, VILLAGE OF) PCB 19-38 (Chicago)
WINNETKA, WINNETKA ILLINOIS,) PCB 19-40 (Crestwood)
VILLAGE OF LA GRANGE, LA GRANGE) PCB 19-48 (Riverside)
ILLINOIS, VILLAGE OF CHANNAHON,)
CHANNAHON ILLINOIS, COOK) (Time-Limited Water Quality
COUNTY DEPARTMENT OF) Standard)
TRANSPORTATION AND HIGHWAYS,) (Consolidated)
VILLAGE OF NILES, NILES ILLINOIS,)
SKYWAY CONCESSION COMPANY)
LLC, VILLAGE OF ELWOOD, ELWOOD)
ILLINOIS, CITY OF CHICAGO,)
CHICAGO ILLINOIS, VILLAGE OF)
CRESTWOOD, CRESTWOOD ILLINOIS)
and VILLAGE OF RIVERSIDE,)
RIVERSIDE ILLINOIS,)
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Petitioners,)
)
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v.)
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)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
)
Respondent.)
)
)

NOTICE OF FILING

To: Don Brown, Clerk of the Board Brad Halloran, Hearing Officer
Illinois Pollution Control Board Illinois Pollution Control Board
James R. Thompson Center James R. Thompson Center
100 West Randolph Street, Suite 11-500 100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601 Chicago, Illinois 60601
Via Electronic Mail Via Electronic Mail
(SEE PERSONS ON ATTACHED SERVICE LIST)

Electronic Filing: Received, Clerk's Office 11/04/2019

PLEASE TAKE NOTICE that today, November 4, 2019, I have electronically submitted to the Office of the Clerk of the Pollution Control Board SKYWAY CONCESSION COMPANY, LLC'S MOTION FOR LEAVE TO FILE INSTANTER as well as SKYWAY CONCESSION COMPANY, LLC'S RESPONSE TO THE BOARD'S QUESTIONS FROM JULY 24, 2019, a copy of which is herewith served upon you.

SKYWAY CONCESSION COMPANY, LLC

By: /s/Dana B. Mehlman

One of Its Attorneys

Date: November 4, 2019
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VILLAGE OF HOMEWOOD,)	
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ORLAND PARK, ORLAND PARK)	
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CITY OF JOLIET, JOLIET ILLINOIS,)	PCB 19-17 (IMTT Illinois)
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MATERIALS, INC., MIDWEST MARINE)	PCB 19-26 (Glenwood)
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VILLAGE OF OAK LAWN, OAK LAWN)	PCB 19-29 (Frankfort)

ILLINOIS, VILLAGE OF DOLTON,)	PCB 19-30 (Winnetka)
DOLTON ILLINOIS, VILLAGE OF)	PCB 19-31 (La Grange)
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VILLAGE OF MORTON GROVE,)	PCB 19-34 (CCDTH)
MORTON GROVE ILLINOIS, VILLAGE)	PCB 19-35 (Niles)
OF LANSING, LANSING ILLINOIS,	)	PCB 19-36 (Skyway)
VILLAGE OF FRANKFORT,	)	PCB 19-37 (Elwood)
FRANKFORT ILLINOIS, VILLAGE OF)	PCB 19-38 (Chicago)
WINNETKA, WINNETKA ILLINOIS,)	PCB 19-40 (Crestwood)
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ILLINOIS, VILLAGE OF CHANNAHON,)	
CHANNAHON ILLINOIS, COOK)	(Time-Limited Water Quality
COUNTY DEPARTMENT OF	)	Standard)
TRANSPORTATION AND HIGHWAYS,	)	(Consolidated)
VILLAGE OF NILES, NILES ILLINOIS,)	
SKYWAY CONCESSION COMPANY)	
LLC, VILLAGE OF ELWOOD, ELWOOD)	
ILLINOIS, CITY OF CHICAGO,)	
CHICAGO ILLINOIS, VILLAGE OF)	
CRESTWOOD, CRESTWOOD ILLINOIS)	
and VILLAGE OF RIVERSIDE,)	
RIVERSIDE ILLINOIS,)	
)	
Petitioners,)	
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v.)	
)	
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	
)	

**SKYWAY CONCESSION COMPANY, LLC'S MOTION FOR LEAVE TO FILE
INSTANTER**

NOW COMES Skyway Concession Company, LLC (Skyway), by and through one of its attorneys, and requests that the Board grant Skyway's following Motion for Leave to File Instanter with respect to responding to the Board's July 24, 2019 Order.

1. On July 24, 2019, the Board issued an Order indicating that all parties were directed to file their respective responses to the questions attached to the order within 60 days, or September 23, 2019. The Order also indicated that, if needed, the due dates for the parties' responses would be revisited at the next telephonic status conference.

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2. The parties held several conference calls wherein they determined that the most efficient and effective approach for responding to the Board's questions would be to agree upon and have one party submit a response, with each of the other parties filing a statement that they adopt and incorporate the responses submitted, with the caveat that any particular issues would be raised in the individual filing. It was determined by the parties that the Metropolitan Water Reclamation District of Greater Chicago would submit the initial response with which others could join.

3. As agreed, the Metropolitan Water Reclamation District of Greater Chicago filed its responses to the Board's questions to petitioners on September 23, 2019.

4. Skyway did not file its response joining and adopting as its response the Response to the Board's Questions from July 24, 2019 of the Metropolitan Water Reclamation District of Greater Chicago on September 23, 2019.

5. On October 17, 2019, a tentative date for the hearing was set for February 18-20, 2020. No Order has yet issued setting forth due dates for pre-file testimony or pre-file questions. A telephonic status conference was set for November 14, 2019.

6. Granting leave for Skyway to file its response instanter will not cause any prejudice or hardship upon any party, as Skyway submits no additional information to the Board that has not been considered in the petitions of other parties. Furthermore, granting leave for Skyway to file its response instanter will not cause any delay in the proceeding.

7. Although Skyway did not file its response on September 23, 2019, it now requests to do so. A copy of Skyway's Response to the Board's Questions from July 24, 2019 is attached hereto.

WHEREFORE, Skyway respectfully submits its Motion for Leave to File Instanter and requests that the Board grant Skyway leave to file its response instanter.

SKYWAY CONCESSION COMPANY, LLC

By: /s/Dana B. Mehlman

One of Its Attorneys

Date: November 4, 2019
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Vedder Price P.C.
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T: +1 312 609 7500

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VILLAGE OF MORTON GROVE,)	PCB 19-34 (CCDTH)
MORTON GROVE ILLINOIS, VILLAGE)	PCB 19-35 (Niles)
OF LANSING, LANSING ILLINOIS,)	PCB 19-36 (Skyway)
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CHANNAHON ILLINOIS, COOK)	(Time-Limited Water Quality
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SKYWAY CONCESSION COMPANY)	
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CRESTWOOD, CRESTWOOD ILLINOIS)	
and VILLAGE OF RIVERSIDE,)	
RIVERSIDE ILLINOIS,)	
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Petitioners,)	
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v.)	
)	
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	
)	

**SKYWAY CONCESSION COMPANY, LLC'S RESPONSE TO THE BOARD'S
QUESTIONS FROM JULY 24, 2019**

NOW COMES Skyway Concession Company, LLC (Skyway), by and through one of its attorneys, and submits the following response with respect to the July 24, 2019 Order:

Skyway joins and adopts as its response the Response to the Board's Questions from July 24, 2019 of the Metropolitan Water Reclamation District of Greater Chicago, filed on September 23, 2019 in this proceeding.

WHEREFORE, Skyway respectfully submits its Response to the Board's Questions from July 24, 2019.

SKYWAY CONCESSION COMPANY, LLC

By: /s/Dana B. Mehlman

One of Its Attorneys

Date: November 4, 2019
Dana B. Mehlman
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PROOF OF SERVICE

It is hereby certified that true copies of the foregoing NOTICE OF FILING, MOTION FOR LEAVE TO FILE INSTANTER and RESPONSE TO THE BOARD'S QUESTIONS FROM JULY 24, 2019, were served via e-mail on November 4, 2019, to each of the persons on the service list below.

It is hereby certified that a true copy of the foregoing NOTICE OF FILING, MOTION FOR LEAVE TO FILE INSTANTER and RESPONSE TO THE BOARD'S QUESTIONS FROM JULY 24, 2019, were served via e-mail to the following on November 4, 2019:

Don Brown
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph St., Ste. 11-500
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Bradley P. Halloran
Hearing Officer
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By: /s/Dana B. Mehlman

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