

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

UNITED STATES STEEL)
CORPORATION, a Delaware corporation,)
)
Petitioner,)
)
vs.)
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY)
)
Respondent.)

PCB No. 13-62
(Permit Appeal – Air)

RECEIVED
CLERK'S OFFICE
JUN - 7 2013
STATE OF ILLINOIS
Pollution Control Board



ORIGINAL

NOTICE OF FILING

To: See Attached Service List

PLEASE TAKE NOTICE that on June 5, 2013, I mailed for filing with the Clerk of the Pollution Control Board of the State of Illinois, c/o John T. Therriault, Assistant Clerk, James R. Thompson Center, 100 W. Randolph St., Ste. 11-500, Chicago, IL 60601, APPEARANCE, RESPONDENT'S MOTION FOR LEAVE TO FILE REDUCED NUMBER OF COPIES OF AGENCY RECORD and RECORD, a copy of which is attached hereto and herewith served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

LISA MADIGAN,
Attorney General of the
State of Illinois

MATTHEW J. DUNN, Chief
Environmental Enforcement/Asbestos
Litigation Division

BY: Rachel R. Medina
RACHEL R. MEDINA
Assistant Attorney General
Environmental Bureau

Attorney Reg. No. 6297171
500 South Second Street
Springfield, Illinois 62706
217/782-9031
Dated: June 5, 2013

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STATE OF ILLINOIS
Pollution Control Board

CERTIFICATE OF SERVICE

I hereby certify that I did on June 5, 2013, send by First Class Mail, with postage thereon fully prepaid, by depositing in a United States Post Office Box a true and correct copy of the following instruments entitled NOTICE OF FILING, APPEARANCE, RESPONDENT'S MOTION FOR LEAVE TO FILE REDUCED NUMBER OF COPIES OF AGENCY RECORD, and AGENCY RECORD on CD

To: Katherine Hodge
Monica Rios
3150 Roland Avenue
P.O. Box 5776
Springfield, IL 62705-5776

and two copies of the record and a CD by First Class Mail with postage thereon fully prepaid of the same foregoing instrument(s):

To: John T. Therriaut, Assistant Clerk
Illinois Pollution Control Board
James R. Thompson Center
Suite 11-500
100 West Randolph
Chicago, Illinois 60601

A copy of the Notice and Motions was also sent by First Class Mail with postage thereon fully prepaid to:

Carol Webb
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
Springfield, IL 62794


RACHEL R. MEDINA
Assistant Attorney General

This filing is submitted on recycled paper

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Respondent.)

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ENTRY OF APPEARANCE

On behalf of the Complainant, PEOPLE OF THE STATE OF ILLINOIS, RACHEL R. MEDINA, Assistant Attorney General of the State of Illinois, hereby enters her appearance as attorney of record.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

LISA MADIGAN,
Attorney General of the
State of Illinois

MATTHEW J. DUNN, Chief
Environmental Enforcement/Asbestos
Litigation Division

BY: *Rachel R. Medina*
RACHEL R. MEDINA
Assistant Attorney General
Environmental Bureau

Attorney Reg. No. 6297171
500 South Second Street
Springfield, Illinois 62706
217/782-9031
Dated: June 5, 2013

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**RESPONDENT'S MOTION FOR LEAVE TO FILE
REDUCED NUMBER OF COPIES OF AGENCY RECORD**

Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, by its attorney.

LISA MADIGAN, Attorney General of the State of Illinois, hereby moves for leave to file a reduced number of copies of the Agency's Record of Construction Permit (Subject to Integrated Processing) Number 1105006 for an Emission Reduction Project ("Construction Permit Number 11050006"), issued to United States Steel Corporation ("US Steel") on April 1, 2013, and states as follows:

1. Section 101.302(h)(2) of the Board's General Rules, 35 Ill. Adm. Code 101.302(h)(2), states that the Agency may file a signed original and 4 duplicate copies (5 total) of the record required by Section 105.116, 105.302, and 105.410.
2. In order to conserve scarce state resources, the Respondent respectfully requests leave to file a reduced number of copies of the Agency's Record of US Steel's Construction Permit Number 11050006.
3. In lieu of the original and 4 duplicate copies, the Respondent respectfully requests leave to file a total of two copies and a compact disc containing all documents in .pdf format.

WHEREFORE, the ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, requests
leave to file a reduced number of copies of the Agency Record.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

LISA MADIGAN,
Attorney General
of the State of Illinois

MATTHEW J. DUNN, Chief
Environmental Enforcement/Asbestos
Litigation Division

BY:



RACHEL R. MEDINA
Environmental Bureau
Assistant Attorney General

Attorney Reg. No. 6297171
500 South Second Street
Springfield, Illinois 62706
217/782-9031
Dated: 6/5/13

THIS FILING PRINTED ON RECYCLED PAPER

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STATE OF ILLINOIS
Pollution Control Board

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AGENCY RECORD

Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY ("Illinois EPA"), in accordance with the procedural rules of the Illinois Pollution Control Board as set forth in 35 Ill. Adm. Code 105.212 and 105.116, hereby files the Illinois EPA's record for United States Steel Corporation's ("US Steel") Construction Permit (Subject to Integrated Processing) No. 11050006 for an Emission Reduction Project which was issued by Illinois EPA on April 1, 2013. The record of all information the Agency relied upon in making its final decision is attached and includes the following:

<u>Document Description</u>	<u>Bates #</u>
1. Letter dated November 16, 2011, from Richard Veitch, United States Steel Corporation (US Steel), to Edwin Bakowski, Illinois EPA, enclosing a Supplement to the initial Construction Permit Application for a Proposed Project at a CAAPP Source, and Fee Determination for Construction Permit Application	1-8
2. Letter dated November 21, 2011, from Michael Dzurinko, US Steel, to Edwin Bakowski, Illinois EPA, regarding request for public hearing	9-10
3. Fee Determination for Construction Permit Application dated November 16, 2011	11-12
4. Exhibit List for US Steel Granite City – Revised and New APC Permits Hearing, dated July 18, 2012, enclosing: Notice of Public Hearing; Draft Construction Permit; Draft Revised Construction Permit/PSD Approval; Project Summary; Statement of Basis; E-mail and letter from Genevieve Damico, USEPA, dated August 16, 2012 (with cover e-mail); and E-mail and letter from Monica T. Rios, Hodge Dwyer and	13-226

Driver, dated August 17, 2012 (with cover e-mail)

5. Public Hearing Registration and Mailing List for each of the following: 227-247
Amy Funk, Mark A. Feldworth, Erika Belmont, Robert Bewkes, Kathy Andria, Art Chimes, Bryan Kresak, Dave Hacker, Mike Deurinko, John Mountain, Matt Story, Jason Braxton, Richard Wiese, Ken Aud, Dan Watson, Linda Aud, Larry Diccico, Jessica Wernli, Oliver Pains Jr., Veronique LaCapra, and Maxine Lipeles
6. Notes from the Public Hearing 248-250
7. Kevin Smith, Permit Engineer for the Illinois EPA prepared comments for Public Hearing 251-255
8. Dean Studer, hearing officer with Illinois EPA, prepared comments for Public Hearing 256-262
9. Transcript for the Illinois EPA Public Hearing held on July 18, 2012 regarding US Steel's Air Pollution Control Permits 263-307
10. Letter dated April 1, 2013, from Bradley Frost, Illinois EPA, to Amy Funk, Mark A. Feldworth, Erika Belmont, Robert Bewkes, Kathy Andria, Art Chimes, Bryan Kresak, Dave Hacker, Mike Deurinko, John Mountain, Oliver Rains, Matt Story, Jason Braxton, Richard Wiese, Ken Aud, Dan Watson, Linda Aud, Larry Diccico, Jessica Wernli, Maxine Lipeles, Peter Goode, Michael McLean, and Tishie Woodwell 308-311
11. Illinois EPA Notice of Public Comment Period and Hearing Concerning the Proposed Issuance of New and Revised Air Pollution Control Permits 312-313
12. Emails dated May 22, 2012, from Chris Romaine, Illinois EPA to Kevin Smith attaching a signed cover page dated May 21, 2012; Signed Fee Determination; Construction Permit Application for a Proposed Project at a CAAPP Source Signed; and Updated Cross Reference Table 314-328
13. Emails dated March 12, 2012 from Chris Romaine, Illinois EPA, to Sally Carter, Illinois EPA, forwarding EPA Comments on Preliminary Draft Construction Permit for US Steel 329-332
14. Email dated February 29, 2012, from David Ogulei, US EPA, to Chris Romaine, Illinois EPA, and referenced material (a letter dated May 20, 1999, from John Seitz to Robert Hadanbosi and enclosures; and a Memo dated July 10, 1995, from Lydia Wegman, US EPA, to Directors I-X attaching White Paper for Streamlined Development of Part 70 Permit Applications 333-386
15. Emails dated January 23, 2012 from David Ogulei, US EPA, to Chris Romaine, Illinois EPA, Kevin Smith, Danny Marcus, Constantine Blathras, and Genevieve Damico regarding EPA Comments on Preliminary Draft Construction Permit for US Steel 387-389

16. Construction Permit (Subject to Integrated Processing), for US Steel's Emission Reduction Project and Preauthorized changes to the CAAPP Permit 390-444
17. Project Summary Statement of Basis for Emission Reduction Project dated May 2012 445-519
18. Construction Permit for Steam Rings for the Basic Oxygen Process Furnaces issued to US Steel Granite City Works on January 12, 2011 520-523
19. Construction Permit for Control System for Charging and Tapping of the BOP Furnace issued to US Steel Granite City Works of August 31, 2011 524-541
20. Notice of Filing, with the Pollution Control Board, Petitions for Review, Entry of Appearance of Katherine A. Hodge, and Entry of Appearance of Monica T. Rios on behalf of US Steel dated October 5, 2011 542-725
21. Letter dated November 16, 2011, from Richard Veitch, US Steel, to Edwin Bakowski, Illinois EPA, enclosing the Construction Permit Application for a Proposed Project at a CAAPP Source; and Fee Determination for Construction Permit Application 726-733
22. Letter dated April 29, 2011, from Richard Veitch, US Steel, to Edwin Bakowski, Illinois EPA, attaching the Memorandum of Understanding dated July 1, 2010; Technical Support Document; and Application Forms 734-867
23. Letter dated November 21, 2011, from Michael Dzurinko, US Steel, to Edwin Bakowski, Illinois EPA, enclosing the Fee Determination for Construction Permit Application 868-871
24. Letter dated May 3, 2011, from Cheryl L. Newton, US EPA, to Laurel Kroack, Illinois EPA, enclosing a letter dated April 20, 2011; and signed Memorandum of Agreement 872-888
25. Letter dated February 1, 2000, from Cheryl L. Newton, US EPA, to Dennis Lawler, Illinois EPA, enclosing the Title I/Title V Memorandum of Understanding 889-894
26. Title V CAAPP Permit Revised, issued on May 2, 2011, to Operate an Integrated Steel Mill Plant attaching only Condition 7.5 895-931
27. Statement of Basis for a Planned Revision of the CAAPP Permit 932-998
28. Letter dated May 20, 1999, from John S. Seitz, US EPA, to Robert Hodanbosi and Charles Lagges, and enclosures 999-1016

29. Memorandum dated July 10, 1995, from Lydia Wegman, US EPA, to Directors of Air I-X enclosing a White Paper for Streamlined Development of Part 70 Permit Applications dated July 10, 1995 1017-1051
30. Construction Permit/ PSD Approval Revised Draft requested May 30, 2012 1052-1079
31. Project Summary for the Planned Issuance of a Revision to Construction Permit/PSD Approval to Accommodate an Emissions Reduction Project at US Steel dated May 2012 1080-1128
32. Letter dated May 21, 2012, from Michael Terry, US Steel, to Edwin Bakowski, Illinois EPA, enclosing Fee Determination, Permit Application; cross-Reference Table; and Revised Operating Permit No. 95010001 for US Steel issued June 25, 2002 1129-1179
33. Construction Permit No. 95010001 for Granite City Division of National Steel Corporation issued on January 25, 1996 1180-1225
34. Construction Permit No. 95010001 for Granite City Division of National Steel Corporation issued on July 23, 1996 1226-1259
35. Construction Permit No. 95010001 for Granite City Division of National Steel Corporation issued on October 18, 1996 1260-1292
36. Construction Permit No. 95010001 for Granite City Division of National Steel Corporation issued on April 2, 1997 1293-1329
37. Letter dated March 18, 1997, from Larry Siebenberger, National Steel, to the Illinois EPA, responding to the March 6, 1997 IEPA questions regarding the December 20, 1996, Granite City Division of National Steel Corporation submittals 1330-1352
38. Notice of Proposed Permit Issuance and Notice of Public Hearing for Granite City Division of National Steel Company on December 20, 1995 1353-1354
39. Illinois EPA Project Summary for Proposed Issuance of a Construction Permit for Granite City Division of National Steel Corporation dated November 1995 1355-1361
40. Draft Construction Permit No. 95010001 for Granite City Division of National Steel Corporation dated November 3, 1995 1362-1396
41. Letter dated August 11, 2009, from Edwin Bakowski, Illinois EPA, to Richard Veitch, US Steel, regarding Request for withdrawal of Applications for Renewal of State Operating Permits letter, June 25, 2009 1397-1398
42. Letter dated June 25, 2009, from Richard Veitch, US Steel, to Edwin Bakowski, Illinois EPA 1399

43.	Permit Review Traveler Sheet	1400
44.	Letter dated April 17, 2009, from Richard Veitch, US Steel, to Edwin Bakowski, Illinois EPA, enclosing the renewal applications for Basic Oxygen Furnace Shop, and BOF-Ladle Metallurgy Station	1401-1405
45.	Operating Permit No. 95010001 for US Steel Granite City Basic Oxygen Furnace Shop, issued July 28, 2004	1406-1411
46.	Withheld Document Number 27 <i>(Placeholder for a Calculation sheet that accompanied the July 28, 2004, Operating Permit for the BOF Shop. The actual calculation sheet had previously been withheld during screening for the file. The permit section did not review the calculation sheet for the permitting transaction which is the subject of this appeal.)</i>	1412
47.	Letter dated April 15, 2004, from Merle Stein, US Steel, to Donald Sutton, Illinois EPA, enclosing the completed Application for Renewal for Basic Oxygen Furnace Shop	1413-1415
48.	Letter dated July 28, 2003, from Donald Sutton, Illinois EPA, to Larry Siebenberger, US Steel, enclosing a revised permit No. 72080043 reflecting only a change of ownership	1416-1422
49.	Notice of Proposed Permit Issuance and Notice of Public Hearing for Granite City Division of National Steel Company for December 20, 1995	1423-1424
50.	Project Summary for Proposed Issuance of Construction Permit for Granite City Division of National Steel Corporation, dated November 1995	1425-1431
51.	Draft Construction Permit No. 95010001 for Granite City Division of National Steel Corporation dated November 3, 1995	1432-1466
52.	Email dated April 1, 2013 from Brad Frost, Illinois EPA, to Stuart Batty and Wally Hartshom, enclosing the Final Construction Permit and Responsiveness Summary for Construction Permit for an Emission Reduction Project	1467-1551
53.	Emails dated February 15 & 19, 2013, between Chris Romaine, Sally Carter David Ogulei, Danny Marcus, and Kevin Smith regarding the US Steel Emission Reduction Project	1552-1556
54.	Email date February 8, 2013, from Chris Romaine to Danny Marcus, David Ogulei, and Kevin Smith, attaching a working draft of part of the Responsiveness Summary for the construction permit for the new baghouse control system	1557-1563

55. Emails dated February 7, 2013, between Brad Frost, Illinois EPA, Chris Romaine, Monica Rios, and David Ogulei, attaching the Proposed Construction Permit No. 11050006 for the Emission Reduction dated February 7, 2013, for US Steel Corporation-Granite City Works, submitted to USEPA for its Review 1564-1620
56. Emails dated February 7, 2013, between Jason Braxton, Chris Romaine, Katherine Hodge, Monica Rios, David Ogulei, Danny Marcus, and Brad Frost, attaching the Proposed Construction Permit No. 95010001 dated February 7, 2013, for US Steel Corporation-Granite City Works, submitted to USEPA for its Review 1621-1678
57. Email dated February 7, 2013, from Chris Romaine to David Ogulei, Danny Marcus, and Kevin Smith, attaching the Proposed Construction Permit No. 11050006 dated February 7, 2013, Annotated Version for the US Steel Corporation Granite City Works 1679-1736
58. Email dated February 7, 2013, from Brad Frost, Illinois EPA, to David Ogulei, Danny Marcus, and Chris Romaine, attaching the Proposed Construction Permit No. 11050006 dated February 7, 2013, submitted to USEPA for its Review 1737-1793
59. Emails dated October 22 & 23, 2012, between Kevin Smith, Chris Romaine, and Jason Braxton, US Steel, regarding attendance of meeting by US Steel Granite City Works-BH-permit on October 23, 2012 1794-1796
60. Emails dated May 22, 2012, between Sally Carter, Chris Romaine, Rachel Medina, Monica Rios, Katherine Hodge, David Hacker, and Kevin Smith attaching the US Steel Construction Draft Permit No. 11050006 dated May 22, 2012, and the Project Summary dated May 2012 1797-1922
61. Emails dated May 16 & 17, 2012, between Sally Carter, Brad Frost, Chris Romaine, David Hacker, Kevin Smith and Rachel Medina, attaching draft Statement of Basis for Emission Reduction Project dated May 15, 2012, for US Steel 1923-1986
62. Email dated May 16, 2012, from Sally Carter to David Hacker, Rachel Medina, Katherine Hodge, Chris Romaine, and Kevin Smith attaching a Statement of Basis for the Emission Reduction Project draft dated May 15, 2012, for US Steel 1987-2050
63. Email dated May 16, 2012, from Sally Carter to David Hacker, Katherine Hodge, Rachel Medina, Chris Romaine, and Kevin Smith, attaching a Draft Construction Permit No. 11050006 dated May 16, 2012, for US Steel 2051-2106

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| 64. | Emails dated May 11, 2012, between Rachel Medina, Sally Carter, Monica Rios, David Hacker and Chris Romaine, regarding follow-up comments to a conference call between US Steel, Illinois EPA, and the Illinois Attorney General's Office | 2107-2109 |
| 65. | Email dated May 2, 2012, from Michael Reed to David Ogulei, Sally Carter and Chris Romaine, attaching the Title V - CAAPP Permit Revised issued on May 2, 2011 for US Steel Corporation Granite City Works | 2111-2443 |
| 66. | Emails dated April 27 & 30, 2012, between Sally Carter, Chris Romaine, Rachel Medina, Monica Rios, Katherine Hodge, David Hacker, and Kevin Smith attaching the Statement of Basis Draft dated April 27, 2012, Project Summary for the Planned Issuance of a Revised Construction Permit/PSD Approval, and the Construction Permit for US Steel to Construct emission source equipment | 2444-2538 |
| 67. | Email dated April 9, 2012, from Sally Carter to Rachel Medina, David Hacker, Katherine Hodge, Chris Romaine, and Kevin Smith, attaching the Construction Permit Revised, and the Project Summary for the Planned Issuance of a Revised Construction Permit/PSD Approval for a Production Increase | 2539-2584 |
| 68. | Emails dated April 3, 2012, between Sally Carter, David Hacker, Chris Romaine, Katherine Hodge, and Rachel Medina, attaching a Draft Construction Permit No. 11050006 dated April 3, 2012 | 2585-2636 |
| 69. | Emails dated March 5, 2012, between Chris Romaine, Richard Wiese, Mike Dzurinko, Jason Braxton, and Brian Kresak regarding scheduling a meeting to discuss the new baghouse system for the BOP furnaces | 2637-2639 |
| 70. | Email dated February 29, 2012, from David Ogulei and Chris Romaine regarding US Steel Comments and referenced documents | 2640-2693 |
| 71. | Emails dated February 28, 29, 2012, between Chris Romaine and Jeff Benbenek, regarding US Steels BOF furnaces | 2694-2696 |
| 72. | Emails dated February 15, 2012, between Sally Carter, Chris Romaine, and Kevin Smith, attaching US Steel SOB Attachment B Redline, and Baghouse Permit – Part 2 Redline dated February 7, 2012 | 2697-2740 |
| 73. | Email dated January 23, 2012, from David Ogulei to Chris Romaine regarding EPA Comments on the Preliminary Draft Construction Permit for US Steel | 2741-2743 |
| 74. | Email dated January 18, 2012, from David Ogulei to Chris Romaine, Kevin Smith, Constantine Blathras, Genevieve Damico, and Danny Marcus, attaching a Construction Permit Draft dated December 14, 2012 | 2744-2794 |

75.	Email dated December 15, 2011, from Chris Romaine to Danny Marcus, Kevin Smith and Sally Carter, attaching a draft Construction Permit Dated December 14, 2012	2795-2844
76.	Email dated December 8, 2011, from Richard Wiese to Chris Romaine, David Hacker, Mike Dzurinko, Jason Braxton, and Kevin Smith, attaching a Statement of Basis for a Planned Issuance of Construction Permit and Modification of the CAAPP Permit for US Steel Corporation Granite City Works and Draft Construction Permit No. 11050006 dated November 18, 2011	2845-2911
77.	Emails dated November 23 & 29, 2011, between Kevin Smith, Jason Braxton, and Chris Romaine, regarding a meeting to discuss the draft Permit for US Steel	2912-2922
78.	Email Dated November 18, 2011, from Chris Romaine to Jill Foust, David Hacker, Sally Carter, Michael Reed, Kevin Smith, and Jim Ross, attaching Draft Construction Permit No. 11050006 dated November 18, 2011,	2923-2973
79.	Notes	2974-2976
80.	Letter dated November 16, 2011, from Katherine Hodge, US Steel, to Rachel Medina, Illinois Attorney General's Office, discussing the agreements reached between the parties on the appeal issues	2977-2980
81.	Email dated January 23, 2012, from David Ogulei to Chris Romaine, Kevin Smith, Danny Marcus, Constantine Blathras, and Genevieve Damico, regarding EPA Comments on the Preliminary Draft Construction Permit of US Steel with handwritten notes	2981-2983
82.	Handwritten notes	2984
83.	Handwritten Memo, Illinois EPA, titled "Qualification of Reduction in PM Emissions	2985-2990
84.	Illinois EPA Meeting Sign-in Sheet dated February 9, 2012	2991
85.	Statement of Basis for the Planned Issuance of a Conditioned Permit for US Steel dated February 2012 with handwritten notes	2992-3017
86.	Draft Construction Permit No. 11050006 dated January 4, 2012, with handwritten notes	3018-3066
87.	Reference Table and 35 IAC 270.302	3067-3068
88.	Electronic Code of Federal Regulations, definition of "Administrative Permit Amendments"	3069
89.	Revised Construction Permit/PSD Approval for US Steel Granite City issued on December 17, 2012	3070-3097

90. Responsiveness Summary for Public Questions and Comments on the Revision to Construction Permit/PSD Approval 95010001 to Accommodate an Emission Reduction Project, dated December 2012 for US Steel dated 3098-3124
91. Responsiveness Summary for Public Questions and Comments on the Proposed Issuance of a Construction Permit with Integrated Processing for an Emission Reduction project for the Existing Basic Oxygen Process Furnaces at US Steel dated April 2013 3125-3147
92. Completeness Review Worksheet 3148
93. Construction Permit No. 11050006 issued April 1, 2013, for US Steel Corporation – Granite City Works 3149-3218

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

LISA MADIGAN,
Attorney General of the
State of Illinois

MATTHEW J. DUNN, Chief
Environmental Enforcement/Asbestos
Litigation Division

BY: 
RACHEL R. MEDINA
Assistant Attorney General
Environmental Bureau

Attorney I.D. #6297171
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Dated: June 5, 2013

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