

Electronic Filing - Received, Clerk's Office : 06/14/2016
BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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

NOTICE OF FILING

To: See Attached Service List

PLEASE TAKE NOTICE that on June 14, 2016, I caused to be filed with the Clerk of the Pollution Control Board of the State of Illinois, *Complainant's List of Trial Exhibits Moved Into Evidence By Complainant (May 23-May 25, 2016)*, 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: June 14, 2016

Respectfully submitted,

BRYAN CAVE LLP

Attorneys for Johns Manville

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Complainant,)	PCB No. 14-3
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ILLINOIS DEPARTMENT OF TRANSPORTATION,)	
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Respondent.)	

LIST OF TRIAL EXHIBITS MOVED INTO EVIDENCE BY COMPLAINANT
MAY 23-MAY 25, 2016

No.	Exhibit Description
2B	IDOT's Answer to Complaint 10/6/14
2C	IDOT's Answer to Second Amended Complaint 4/12/16
3A	IDOT's Responses to JM's First Set of Document Requests
3F	IDOT's Responses to JM's Third Set of Interrogatories
3H	IDOT's Verifications to Responses to JM's Third Set of Interrogatories
3I	IDOT's Responses to JM's First Set of Requests for Admission
4C	Deposition of Steven Gobelman with Exhibits 1-13, taken 7/10/15
4E	Deposition of John Baczek with Exhibits 1-3, taken 4/25/16
4G	Deposition of James A. Stumpner with Exhibits 12-17, taken 4/26/16
5	Letter to Michael Forti from Susan Brice dated July 11, 2013 (JM 0006025-0006026)
6	Expert Report of Douglas G. Dorgan, including figures and appendices dated March 16, 2015
7	Affidavit of Douglas G. Dorgan dated February 15, 2016 attached to JM's Responses to IDOT's Motions <i>in Limine</i>
15	Right of Way Plat (IDOT 002845, IDOT 002854, IDOT 002855)
16	Expert Rebuttal Report of Douglas G. Dorgan with figures dated July 27, 2015
17	IDOT's Rule 213(f)(3) Disclosure Statement for Keith W. Stoddard dated March 31, 2016 and exhibits
18	Expert Report of Joseph R. Fortunato, Jr. dated May 3, 2016 and exhibits
19	Excerpts from IDOT Standard Specification for Road and Bridge Construction dated January 2, 1971 (IDOT 001068-001103, IDOT 002654)
21A	As Built IDPW Plans for Proposed Federal Aid Highway F.A. Route 437-Section 8-HB&

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	8-VB Lake County (JM 001132-001235) **Including demonstratives of 21A-1, 21A-8, 21A-23, 21A-24, 21A-26, 21A-71
31	Memo and Authorization for Contract Changes dated October 19, 1972 (IDOT 000294-000300)
33	Explanation for Deviations from Contract (IDOT 000327-000328)
35	Authorization for Contract Changes dated May 5, 1975 (IDOT 000329)
37	Letter to Johns Manville from G. Gianelli and Report from Property Insight dated December 30, 2015 (delivered January 14, 2016) (JM 0006016-0006018)
40	Letter and Resolution re Joint County State Improvement Route 137 dated April 7, 1966 (Exhibit 7 to Deposition of K. Stoddard)
41	Grant for Public Highway dated August 3, 1971 (IDOT 002808-002814)
42	Grant for Public Highway notarized January 16, 1974 (IDOT 002846-002853)
43	Letter to S. Ziejeswki from ComEd dated July 24, 1984 with attachment of Grant for Public Highway (IDOT 001031-001040)
46	Revision of Title Commitment prepared for IDOT dated March 30, 2016 (IDOT 008160-008171/Exhibit F to IDOT's Rule 213(f)(3) Disclosure Statement for Keith W. Stoddard)
50	License Agreements From Commonwealth Edison Company dated November 16, 1956 (JM 0007094-0007098) and dated November 1, 1961 (JM 0007099-007104), and Affidavit of Brent Tracy dated April 13, 2016
52	Photograph of Aerial Photo late 1950s (JM 001296) **Including demonstrative of 52
53A	Aerial Photograph 1961 (JM0005825)
53B	Aerial Photograph 1972 (JM0005826)
53C	Aerial Photograph 2014 (JM0005827) ** Including demonstrative of 53C
53K	Aerial Photograph 1974 (JM0005835) ** Including demonstrative of 53K
53L	Aerial Photograph 1967 (JM0005836) ** Including demonstrative of 53L
54S	Aerial Photograph 1970 (IDOT 002650) ** Including demonstrative of 54S
57	ELM Subsurface Characterization Report dated December 1999 (JM 000030-000580)
58	Letter from USEPA to K. Brown of IDOT and 104(e) Request Attachment (IDOT 000378-000391)
60	IDOT 104(e) Response dated November 2000 (JM 000581-000585)

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63	EE/CA Revision IV and all attachments (JM 001652-002370)
65	USEPA Enforcement Action Memorandum (JM 002423-002549)
66	Cover Letter and Removal Action Work Plan Revision II dated March 31, 2014 (JM 004655-005767)
67	Cover Letter and Removal Action Work Plan Revisions IV dated February 2016 and comparison with previous RAWP (JM 0006027-0006647)
68	Estimate of Cost and Authority to Work Special Construction Charge and Invoice (JM 0006013-0006015)
69	Email from Tat Ebihara to Doug Dorgan dated March 12, 2015 with attachments (JM 0005942-0005944)
71	Letter from Tat Ebihara to B. Tracy, D. Clinton dated January 25, 2016 with attachments (JM 0006019-0006024)
73	Letter from USEPA to AECOM dated September 26, 2014 (JM 005791)
74	Letter to John Van Vranken from LFR with attachments dated July 8, 2008 (JM 001285-001293)
77	IDOT Project Report Illinois Route 137 (Greenwood Avenue) Over Illinois Route 137 (Amstutz Expressway) dated June 2012 (IDOT 008186-008495)
84	Soil Boring Cross Sections Figures (JM 0007191-0007192)
89	Johns Manville Notice of Deposition for Person Most Knowledgeable Pursuant to Rule 206 filed on April 12, 2016.
90	Sidwell Maps IDOT 012085-86
91	201(K) Email and attachment from Susan Brice to Evan McGinley dated November 11, 2014 and Letter from E. McGinley to S. Brice re 201(k) dated December 2, 2014.
96	Demonstrative: Remedial Scope and Cost Analysis Comparison

Dated: June 14, 2016

Respectfully submitted,

BRYAN CAVE LLP

Attorneys for Complainant Johns Manville

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CERTIFICATE OF SERVICE

I, the undersigned, certify that on June 14, 2016, I caused to be served a true and correct copy of the foregoing 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. Paper hardcopies of this filing will be made available upon request.

/s/ Lauren J. Caisman
Lauren J. Caisman

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