

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

CTI DEVELOPMENT, LLC,

Petitioner,

vs.

ILLINOIS ENVIRONMENTAL PROTECTION  
AGENCY,

Respondent.

PCB NO. 2021-110

(VARIANCE-LAND)

**NOTICE OF FILING**

To: Mr. Don Brown  
Clerk of the Board  
Illinois Pollution Control Board  
James R. Thompson Center  
100 W. Randolph Suite 11-500  
Chicago, Illinois 60601  
**(VIA ELECTRONIC MAIL)**

Division of Legal Counsel  
Illinois Environmental Protection Agency  
1021 N. Grand Avenue East  
Post Office Box 19276  
Springfield, Illinois 62794-9276  
**(VIA FIRST CLASS MAIL)**

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board CTI Development, LLC's Certificate of Publication, a copy of which is herewith served upon you.

Respectfully submitted,

CTI DEVELOPMENT, LLC  
Petitioner,

DATE: June 3, 2021

By: /s/ Jennifer M. Martin  
One of Its Attorneys

Jennifer M. Martin  
HEPLERBROOM, LLC  
4340 Acer Grove Drive  
Springfield, IL 62711  
[Jennifer.Martin@heplerbroom.com](mailto:Jennifer.Martin@heplerbroom.com)  
(217) 528-3674

William J. Curtis  
POLSINELLI PC  
100 S. Fourth Street  
St. Louis, MO 63102  
[wcurtis@polsinelli.com](mailto:wcurtis@polsinelli.com)  
(314) 622-6172

**CERTIFICATE OF SERVICE**

I, Jennifer M. Martin, the undersigned, hereby certify that I have served the attached CERTIFICATE OF PUBLICATION, on June 3, 2021:

Mr. Don Brown  
Clerk of the Board  
Illinois Pollution Control Board  
James R. Thompson Center  
100 West Randolph Street, Suite 11-500  
Chicago, Illinois 60601

Clayton Ankney, #6320224  
Stefanie Diers, #6271177  
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Division of Legal Counsel  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
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/s/ Jennifer M. Martin

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ILLINOIS ENVIRONMENTAL PROTECTION  
AGENCY

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(VARIANCE - LAND)

**PROOF OF PUBLICATION OF NOTICE**

CTI Development, LLC, through its undersigned attorney, hereby files its proof of publication of notice pursuant to 35 Ill. Adm. Code 104.214. CTI Development filed its Petition for Variance in this matter on May 11, 2021, and caused publication of notice of filing of that Petition in The Telegraph on May 25, 2021. The Certificate of Publication is attached.

Respectfully submitted,  
CTI Development, LLC  
Petitioner,

Date: June 3, 2021

By: /s/ Jennifer M. Martin

Jennifer M. Martin  
HEPLERBROOM, LLC  
4340 Acer Grove Drive  
Springfield, IL 62711  
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## CERTIFICATE OF PUBLICATION

STATE OF ILLINOIS

Madison COUNTY } ss

This is to Certify that a notice, a true copy of which is hereto attached, was published in **The Telegraph**, a secular newspaper of general circulation in the County of **Madison** and the State of Illinois, by **The Telegraph**, a corporation existing under the laws of said state and that said notice was published on the 25 day/s of May, 2021.

And this is to Further Certify that said newspaper has been regularly published for 50 weeks prior to the publication of said notice therein, and that the person who signs the name of said company to this certificate is as appears by the records of said company, its duly authorized agent for such purpose.

Dated this, 25 day of May, 2021.

Signature: Angela Hasamear

Authorized Agent Name: Angela Hasamear

21-0414 \$190.96

**Public Notice**

The Illinois Environmental Protection Agency ("Illinois EPA") hereby gives notice of a variance petition filed by CTI Development, LLC ("CTI") with the Illinois Pollution Control Board ("Board") on May 11, 2021 (Docket No. PCB 2021-110). CTI, located at #1 Chessen Lane, Alton, Illinois, (Madison County), has filed a petition for variance under Title IX of the Environmental Protection Act ("Act"). Variances may be granted by the Board pursuant to Section 35 of the Act (415 ILCS 5/35) and 35 Ill. Adm. Code Part 104 of the Board regulations.

The petition requests a variance from the provisions of 35 Ill. Adm. Code 845.200(a)(4) which provides, in pertinent part: "except as provided in Section 22.59(e) of the [Illinois Environmental Protection] Act, no person must close a CCR surface impoundment without obtaining a construction permit for closure issued by the Agency under this Part."

Any person may request a hearing in this matter by filing a written objection to the grant of the variance with the Board, together with a written request for a hearing; within twenty-one (21) days after the publication of this Notice.

Send requests and objections to Don Brown, Clerk, Illinois Pollution Control Board, James R. Thompson Center, 100 West Randolph Street, Suite 11-500, Chicago, Illinois, 606901, (312) 814-3620; fax (312) 814-3669. A copy of the variance petition is also available through the Clerk of the Board's office or COOL located at the Board's website:

<https://pcb.illinois.gov/>

The Illinois EPA is preparing a recommendation regarding the variance petition. The Illinois EPA is to file its recommendation within forty-five (45) days after the filing of the petition. The Illinois EPA solicits comments from persons who may be adversely affected by the variance. Address any comments or inquiries within twenty-one (21) days after the publication of this notice to: Stefanie Diers, Assistant Counsel, Division of Legal Counsel, Illinois Environmental Protection Agency, 1021 South Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276, (217) 782-5544, stefanie.diers@illinois.gov.

A hearing may be held after the filing of the Illinois EPA recommendation. Persons may submit comments on the variance petition to the Board. The comments must be mailed to the Pollution Control Board at the above address for the Clerk of the Board. The record of this proceeding will remain open for written comments for forty-five (45) days after the filing of the Illinois EPA recommendation.

The record in this variance proceeding is available at the Board office for inspection by the public, except for those portions of the record that are protected from disclosure under 35 Ill. Adm. Code Part 130. Procedures are available whereby disclosure may be sought by the public.