

RECEIVED

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

KNOX COLLEGE,
Petitioner,
vs.
ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,
Respondent.

AUG 29 2003

PCB 03-65

STATE OF ILLINOIS
Pollution Control Board

(UST Program Appeal)

NOTICE OF FILING

TO:

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center
100 West Randolph, Suite 11-500
Chicago, IL 60601-3218

John K. Kim, Assistant Counsel
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East, P. O. Box 19276
Springfield, IL 62794-9276

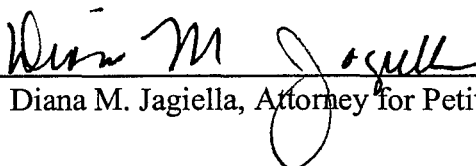
Hon. Carol Sudman
Hearing Officer
Illinois Pollution Control Board
600 S. Second Street, Suite 402
Springfield, IL 62704

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board an original and nine (9) copies of Motion for Voluntary Dismissal, a copy of which is herewith served upon you.

Dated: August 27, 2003

Respectfully submitted,

KNOX COLLEGE

By: 
Diana M. Jagiella, Attorney for Petitioner

Diana M. Jagiella
Howard & Howard Attorneys, P.C.
One Technology Plaza, Suite 600
211 Fulton Street
Peoria, IL 61602-1350
(309) 672-1483

THIS FILING IS SUBMITTED ON RECYCLED PAPER

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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CLERK'S OFFICE

AUG 29 2003

KNOX COLLEGE,

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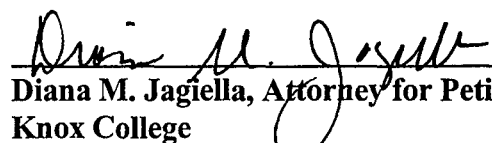
(UST Program Appeal)

MOTION FOR VOLUNTARY DISMISSAL

NOW COMES the Petitioner, KNOX COLLEGE, by and through its attorneys, HOWARD & HOWARD ATTORNEYS, P.C., and moves to dismiss its Petition for Review of Underground Storage Tank Fund Reimbursement, and in support of its motion states that the Illinois Environmental Protection Agency recently approved Petitioner's Low Priority Groundwater Monitoring Plan Budget for LUST Incident No. 961753 at 161 East Berrien Street, Galesburg, Knox County, Illinois, which Budget it had previously denied (See Tab 1.).

HOWARD & HOWARD ATTORNEYS, P.C.

By:


Diana M. Jagiella, Attorney for Petitioner,
Knox College

Dated: August 27, 2003

Diana M. Jagiella
Howard & Howard Attorneys, P.C.
One Technology Plaza, Suite 600
211 Fulton Street
Peoria, IL 61602
(309) 672-1483

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CLERK'S OFFICE BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

KNOX COLLEGE,

STATE OF ILLINOIS
Pollution Control Board,

VS.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Respondent.

PCB 03-65

(UST Program Appeal)

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on this 27th day of August, 2003, I have served the attached Motion for Voluntary Dismissal, by depositing same via First Class, U.S. Mail, with proper postage prepaid, upon the following persons:

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center
100 West Randolph, Suite 11-500
Chicago, IL 60601-3218

John J. Kim, Assistant Counsel
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East, P. O. Box 19276
Springfield, IL 62794-9276

Hon. Carol Sudman
Hearing Officer
Illinois Pollution Control Board
600 S. Second Street, Suite 402
Springfield, IL 62704

Diana M. Jagiella
Diana M. Jagiella

Diana M. Jagiella
Howard & Howard Attorneys, P.C.
One Technology Plaza, Suite 600
211 Fulton Street
Peoria, IL 61602
(309) 672-1483

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(13480-1)

THIS FILING IS SUBMITTED ON RECYCLED PAPER

Exhibit 1

**ILLINOIS ENVIRONMENTAL PROTECTION AGENCY**

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276
JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601

ROD R. BLAGOJEVICH, GOVERNOR

RENEE CIPRIANO, DIRECTOR

217/782-6762

CERTIFIED MAIL

7002 3150 0000 1224 3312

AUG 15 2003

Knox College
Attn: Scott Maust
2 East South Street
Galesburg, Illinois 61401

Re: LPC #0950205089 -- Knox County
Galesburg/Knox College
161 East Berrien Street
LUST Incident No. 961753
LUST Technical File

Dear Maust:

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the Low Priority Groundwater Monitoring Plan Budget (budget) submitted for the above-referenced incident. This budget, dated June 20, 2003, was received by the Illinois EPA on June 26, 2003. Citations in this letter are from the Environmental Protection Act (Act) and 35 Illinois Administrative Code (35 Ill. Adm. Code).

The budget is approved for the amounts listed in Section 1 of Attachment A. Please note that the costs must be incurred in accordance with the approved plan. Be aware that the amount of reimbursement may be limited by Sections 57.8(e), 57.8(g) and 57.8(d) of the Act, as well as 35 Ill. Adm. Code 732.604, 732.606(s), and 732.611.

If at any time the groundwater analysis indicates a confirmed exceedence of the indicator contaminants, the owner or operator must notify the Illinois EPA of the exceedence within 30 days (35 Ill. Adm. Code 732.403(d)(2)).

All future correspondence must be submitted to:

Illinois Environmental Protection Agency
Bureau of Land -- #24
Leaking Underground Storage Tank Section
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276

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Please submit all correspondence in duplicate and include the Re: block shown at the beginning of this letter.

If you have any questions or need further assistance, please contact Dawn Ingold at 217/785-8378.

Sincerely,



Hernando A. Albarracin

Unit Manager

Leaking Underground Storage Tank Section

Division of Remediation Management

Bureau of Land

Attachment: Attachment A

c: Hanson Professional Services, Inc.
Division File

Attachment A

Re: LPC # 0950205089 -- Knox County
Galesburg/Knox College
161 East Berrien Street
LUST Incident No. 961753
LUST Technical File

Citations in this attachment are from the Environmental Protection Act (Act) and 35 Illinois Administrative Code (35 Ill. Adm. Code).

SECTION 1

The budget was previously approved for:

\$1,465.00	Investigation Costs
\$1,820.00	Analysis Costs
\$17,812.50	Personnel Costs
\$2,605.75	Equipment Costs
\$1,087.20	Field Purchases and Other Costs
\$650.28	Handling Charges

The following amounts are approved:

\$0.00	Investigation Costs
\$0.00	Analysis Costs
\$16,407.00	Personnel Costs
\$0.00	Equipment Costs
\$0.00	Field Purchases and Other Costs
\$0.00	Handling Charges

Therefore, the total cumulative budget is approved for:

\$1,465.00	Investigation Costs
\$1,820.00	Analysis Costs
\$34,219.50	Personnel Costs
\$2,605.75	Equipment Costs
\$1,087.20	Field Purchases and Other Costs
\$650.28	Handling Charges