

January 16, 2004

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JAN 20 2004

STATE OF ILLINOIS  
Pollution Control Board

PLB04-128

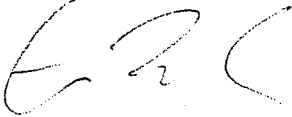
Illinois Environmental Protection Agency  
Bureau of Land #24 - RAPAU  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, IL 62794-9276  
Attn.: Lieura Hackman, RAPAU  
Jason Donnelly, LUST Technical

Re: LPC #0316005567 -- Cook County  
Chicago / Boye Needle Facility  
4343 North Ravenswood  
LUST Incident No. 20010347

Dear Ms. Hackman and Mr. Donnelly:

This letter serves as an official notice for a 90 day extension to the Agency and the Illinois Pollution Control Board (Board) in response to an Agency letter, dated December 18, 2003, regarding the reimbursement of early action corrective action costs at the above captioned subject property. We are in the process of reviewing the Agency's response and intend to file an appeal with the Board within 90 days of the Agency decision. A copy of the Agency decision letter is attached for your reference as Attachment A.

Sincerely,  
**PIONEER ENGINEERING &  
ENVIRONMENTAL SERVICES, INC.**



Eric Termuehlen, P.E.  
Senior Project Manager

[Attachments]

cc: Dorothy Gunn, Illinois Pollution Control Board (w/Attach.)  
Rocco Martino, WEWS, L.P. (w/Attach.)  
Sean Bezark, Esq., Greenberg Traurig, LLP (w/Attach.)

ATTACHMENT A  
AGENCY LETTER  
DECEMBER 18, 2003



## ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276, 217-782-3397  
JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601, 312-814-6026

ROD R. BLAGOJEVICH, GOVERNOR

RENEE CIPRIANO, DIRECTOR

217/782-6762

DEC 18 2003

WEWS, L.P.

Attention: Rocco Martino

70 West Madison Street, Suite 5710

Chicago, IL 60602

Re: LPC #0316005567 -- Cook County  
Chicago/Boye Needle Facility  
4343-4357 North Ravenswood  
LUST Incident Number 20010347  
LUST FISCAL FILE

Dear Mr. Martino:

On July 21, 2003, the Agency sent you a letter regarding the site referenced above. Upon further review, an additional voucher for \$3,267.00 will be prepared for submission to the Comptroller's Office for payment as funds become available.

An underground storage tank owner or operator may appeal this decision to the Illinois Pollution Control Board (Board) pursuant to Section 57.8(i) and Section 40 of the Illinois Environmental Protection Act. An owner or operator who seeks to appeal the Agency's decision may, within 35 days after the notification of the final Agency decision, petition for a hearing before the Board; however, the 35-day period may be extended for a period of time not to exceed 90 days by written notice provided to the Board from the applicant and the Agency within the 35-day initial appeal period.

For information regarding the filing of an appeal, please contact:

Dorothy Gunn, Clerk  
Illinois Pollution Control Board  
State of Illinois Center  
100 West Randolph, Suite 11-500  
Chicago, Illinois 60601  
312/814-3620

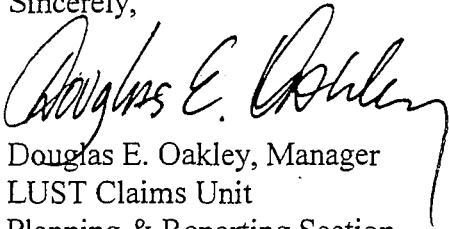
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For information regarding the filing of an extension, please contact:

Illinois Environmental Protection Agency  
Division of Legal Counsel  
1021 North Grand Avenue East  
Springfield, Illinois 62794-9276  
217/782-5544

**If you have any questions, please contact Jason Donnelly of Harry Chappel's staff or myself at 217/782-6762.**

Sincerely,



Douglas E. Oakley, Manager  
LUST Claims Unit  
Planning & Reporting Section  
Bureau of Land

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Attachment

cc: Pioneer Engineering and Environmental Services, Inc.

Attachment A  
Technical Deductions

Re: LPC #031605567 – Cook County  
Chicago/William Wright Ltd., Partnership  
4343 North Ravenwood  
LUST Incident No. 20010347  
LUST Fiscal File

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

Item # Description of Deductions

1. \$42,852.00, deduction for costs which are unreasonable as submitted. (Section 57.7(c)(4)(C) of the Act and 35 Ill. Adm. Code 732.606(hh))

The above deduction is associated with Field Technician and Project Engineer costs that were unreasonable for operation and maintenance (O&M) of the free product recovery system.

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