

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

MAC'S CONVENIENCE STORES, LLC,	)	
Petitioner,	)	
	)	
v.	)	PCB 27-
	)	(LUST – Ninety Day
ILLINOIS ENVIRONMENTAL PROTECTION	)	Extension)
AGENCY,	)	
Respondent.	)	

**NOTICE**

Don Brown, Clerk  
Illinois Pollution Control Board  
60 East Van Buren St., Suite 630  
Chicago, IL 60605  
[don.brown@illinois.gov](mailto:don.brown@illinois.gov)

Mac's Convenience Stores, LLC  
Attn: Ginger Huffman  
1100 Situs Court, Suite 100  
Raleigh, NC 27606

Pinnacle Environmental Management Support  
Attn: Jana Langnickel  
329 Battleground Avenue  
Greensboro, NC 27401  
[JanaLangnickel@PinnacleEMS.com](mailto:JanaLangnickel@PinnacleEMS.com)

PLEASE TAKE NOTICE that I have today caused to be filed a **REQUEST FOR NINETY DAY EXTENSION OF APPEAL PERIOD** with the Illinois Pollution Control Board, copies of which are served upon you.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY



Melanie A. Jarvis  
Deputy Chief Counsel – Land Enforcement  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276  
217/782-5544  
[melanie.jarvis@illinois.gov](mailto:melanie.jarvis@illinois.gov)  
Dated: July 2, 2026

**THIS FILING IS SUBMITTED ON RECYCLED PAPER**

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

MAC'S CONVENIENCE STORES, LLC,	)	
Petitioner,	)	
	)	
v.	)	PCB 27-
	)	(LUST – Ninety Day
ILLINOIS ENVIRONMENTAL PROTECTION	)	Extension)
AGENCY,	)	
Respondent.	)	

**REQUEST FOR NINETY DAY EXTENSION  
OF APPEAL PERIOD**

NOW COMES the Respondent, the Illinois Environmental Protection Agency (“Illinois EPA”), by one of its attorneys, Melanie A. Jarvis, Assistant Counsel, and, pursuant to Section 40(a)(1) of the Illinois Environmental Protection Act (415 ILCS 5/40(a)(1)) and 35 Ill. Adm. Code 105.208, hereby requests that the Illinois Pollution Control Board (“Board”) grant an extension of the thirty-five (35) day period for petitioning for a hearing to October 15, 2026, or any other date not more than a total of one hundred twenty-five (125) days from the date of receipt of the Illinois EPA’s final decision. In support thereof, the Illinois EPA respectfully states as follows:

1. On or about June 8, 2026, the Illinois EPA issued a final decision to the Petitioner.
2. On June 29, 2026, the Petitioner made a written request to the Illinois EPA for an extension of time by which to file a petition for review, asking the Illinois EPA to join in requesting that the Board extend the thirty-five-day period for filing a petition by ninety days. Upon information and belief, Petitioner received the final decision on or about June 12, 2026.

3. The additional time requested by the parties may eliminate the need for a hearing in this matter or, in the alternative, allow the parties to identify issues and limit the scope of any hearing that may be necessary to resolve this matter.

WHEREFORE, for the reasons stated above, the parties request that the Board, in the interest of administrative and judicial economy, grant this request for a ninety-day extension of the thirty-five-day period for petitioning for a hearing.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY



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Melanie A Jarvis  
Deputy Chief Counsel – Land Enforcement  
1021 North Grand Avenue, East  
P.O. Box 19276  
Springfield, Illinois 62794-9276  
217/782-5544  
866/273-5488 (TDD)  
[melanie.jarvis@illinois.gov](mailto:melanie.jarvis@illinois.gov)  
Dated: July 2, 2026

**THIS FILING IS SUBMITTED ON RECYCLED PAPER**

**CERTIFICATE OF SERVICE**

I, the undersigned attorney at law, hereby certify that on July 2, 2026, I served true and correct copies of a **REQUEST FOR NINETY DAY EXTENSION OF APPEAL PERIOD** by the method(s) and to the persons identified below:

Electronic Service

Don Brown, Clerk  
Illinois Pollution Control Board  
60 East Van Buren St., Suite 630  
Chicago, IL 60605  
[don.brown@illinois.gov](mailto:don.brown@illinois.gov)

Mail Service

Mac's Convenience Stores, LLC  
Attn: Ginger Huffman  
1100 Situs Court, Suite 100  
Raleigh, NC 27606

Pinnacle Environmental Management Support  
Attn: Jana Langnickel  
329 Battleground Avenue  
Greensboro, NC 27401  
[JanaLangnickel@PinnacleEMS.com](mailto:JanaLangnickel@PinnacleEMS.com)

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY



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Melanie A. Jarvis  
Deputy Chief Counsel – Land Enforcement  
Division of Legal Counsel  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276  
217/782-5544  
866/273-5488 (TDD)  
[melanie.jarvis@illinois.gov](mailto:melanie.jarvis@illinois.gov)



329 Battleground Ave.  
Greensboro, NC 27401

Office: 336.907.2555  
Fax: 866.209.4401  
[pinnacleems.com](http://pinnacleems.com)

June 29, 2026

Illinois Environmental Protection Agency  
Bureau of Land  
2520 West Iles Ave, P.O. Box 19276  
Springfield, IL 62794-1021  
Attn: Becky Fieldler

RE: **Extension of Appeal Deadline**  
LPC #1610255051 – Rock Island County  
East Moline / Circle K Store 4701212  
1827 18<sup>th</sup> Avenue  
IEMA Incident 932665 - 76227  
Queue Date: March 19, 2026

Dear Ms. Fiedler:

Attached please find the Agency's decision letter for the above referenced claim related to corrective action costs. Could you please submit the necessary form to the Pollution Control Board that will allow discussions of this review letter to exceed the 35 day deadline to file an appeal.

Please direct all Agency correspondence regarding this claim to me at [JanaLangnickel@PinnacleEMS.com](mailto:JanaLangnickel@PinnacleEMS.com). Should you have any questions or require additional information, you may contact me directly at (954) 361-0099.

Sincerely,  
PINNACLE ENVIRONMENTAL MANAGEMENT SUPPORT, INC.

A handwritten signature in cursive script that reads "Jana Langnickel".

Jana Langnickel  
Senior Program Manager



# Illinois Environmental Protection Agency

2520 West Iles Avenue • P.O. Box 19276 • Springfield, Illinois • 62794-9276 • 217-782-3397

JB Pritzker, Governor

James Jennings, Director

(217) 524-3300

CERTIFIED MAIL

9589 0710 5270 0389 7186 85

JUN 08 2026

Mac's Convenience Stores, LLC  
Ginger Huffman  
1100 Situs Court, Suite 100  
Raleigh, North Carolina 27606

470/2/2

Re: 1610255051 – Rock Island County  
East Moline/Mac's Convenience Stores, LLC  
1827 18<sup>th</sup> Avenue  
Incident-Claim: 932665 -- 76227  
Queue Date: March 19, 2026  
Leaking UST Fiscal File

Dear Ms. Huffman:

The Illinois Environmental Protection Agency (Illinois EPA) has completed the review of your application for payment from the Underground Storage Tank (UST) Fund for the above-referenced Leaking UST incident pursuant to Section 57.8(a) of the Environmental Protection Act (415 ILCS 5) (Act) and 35 Illinois Administrative Code (35 Ill. Adm. Code) 734.Subpart F.

This information is dated March 19, 2026, and was received by the Illinois EPA on March 19, 2026. The application for payment covers the period from March 19, 2020, to March 31, 2026. The amount requested is \$27,282.46.

On March 19, 2026, the Illinois EPA received your application for payment for this claim. As a result of Illinois EPA's review of this application for payment, a voucher for \$2,457.23 will be prepared for submission to the Comptroller's Office for payment as funds become available based upon the date the Illinois EPA received your complete request for payment of this application for payment. Subsequent applications for payment that have been/are submitted will be processed based upon the date complete subsequent application for payment requests are received by the Illinois EPA. This constitutes the Illinois EPA's final action with regard to the above application(s) for payment.

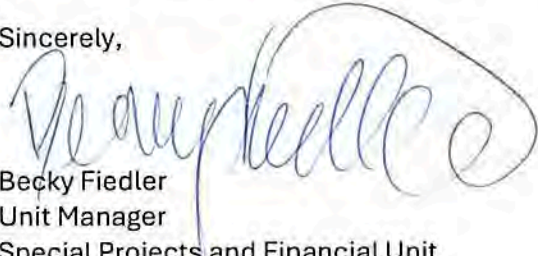
The deductible amount for this claim is \$15,000.00, which was previously withheld from your payment(s). Pursuant to Section 57.8(a)(4) of the Act, any deductible, as determined pursuant to the Office of the State Fire Marshal's eligibility and deductibility final determination in accordance with Section 57.9 of the Act, shall be subtracted from any payment invoice paid to an eligible owner or operator.

There are costs from this claim that are not being paid. Listed in Attachment A are the costs that are not being paid and the reasons these costs are not being paid.

An underground storage tank system owner or operator may appeal this decision to the Illinois Pollution Control Board. Appeal rights are attached.

If you have any questions or need further assistance, please contact Abby Lehman at (217) 558-3347 or at [abigail.lehman2@illinois.gov](mailto:abigail.lehman2@illinois.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "Becky Fiedler", written over a light blue circular stamp or watermark.

Becky Fiedler  
Unit Manager  
Special Projects and Financial Unit  
Leaking Underground Storage Tank Section  
Bureau of Land

Attachments: Attachment A  
Appeal Rights

cc: Pinnacle Environmental Management Support  
Leaking UST Claims Unit

Attachment A  
Accounting Deductions

Re: 1610255051 – Rock Island County  
East Moline/Mac's Convenience Stores, LLC  
1827 18<sup>th</sup> Avenue  
Incident-Claim No.: 932665 -- 76227  
Queue Date: March 19, 2026  
Leaking UST Fiscal File

Citations in this attachment are from the Environmental Protection Act (415 ILCS 5) (Act) and 35 Illinois Administrative Code (35 Ill. Adm. Code).

Item # Description of Deductions

1. \$5,549.10, for costs associated with drilling. These costs cannot be reimbursed at this time because the requirements set forth in Section 57.8(a)(1) of the Environmental Protection Act, as amended by Public Act 104-291, are not yet met. Pursuant to Section 57.8(a)(1) a payment determination shall be made by the Agency upon receipts of both the complete application for payment and the report documenting completion of the approved activities. Since the subsequent report documenting completion of the activities approved in the plan has not yet been received by the Illinois EPA, we cannot make a payment determination for the requested drilling costs at this time.

In addition, deduction for drilling costs that lack supporting documentation. Such costs are ineligible for payment from the Fund pursuant to 35 Ill. Adm. Code 734.630(cc). Since there is no supporting documentation of costs, the Illinois EPA cannot determine that the costs will be used for activities necessary to meet the minimum requirements of Title XVI of the Act. Therefore, such costs are not approved pursuant to Section 57.7(c)(3) of the Act and 35 Ill. Adm. Code 734.630(o) because they may be used for site investigation or corrective action activities in excess of those required to meet the minimum requirements of Title XVI of the Act.

Costs associated with drilling were proposed in the Corrective Action Plan (CAP) and Budget received by the Illinois EPA on March 22, 2021, and approved by the Illinois EPA on June 22, 2021. The subsequent CAP or Corrective Action Completion Report (CACR) documenting the completion of this drilling activity has not been submitted to the Illinois EPA; therefore, these costs cannot be reimbursed at this time.

You may resubmit these costs to the Illinois EPA when the report documenting completion of the approved activities is submitted and supported by appropriate documentation. Please take note that pursuant to 35 Ill. Adm. Code 734.605(e), applications for payment may be submitted no more than once every 90 days.

2. \$1,639.04, for costs associated with analytical. These costs cannot be reimbursed at this time because the requirements set forth in Section 57.8(a)(1) of the Environmental Protection Act, as amended by Public Act 104-291, are not yet met. Pursuant to Section

57.8(a)(1) a payment determination shall be made by the Agency upon receipts of both the complete application for payment and the report documenting completion of the approved activities. Since the subsequent report documenting completion of the activities approved in the plan has not yet been received by the Illinois EPA, we cannot make a payment determination for the requested analytical costs at this time.

In addition, deduction for analytical costs that lack supporting documentation. Such costs are ineligible for payment from the Fund pursuant to 35 Ill. Adm. Code 734.630(cc). Since there is no supporting documentation of costs, the Illinois EPA cannot determine that the costs will be used for activities necessary to meet the minimum requirements of Title XVI of the Act. Therefore, such costs are not approved pursuant to Section 57.7(c)(3) of the Act and 35 Ill. Adm. Code 734.630(o) because they may be used for site investigation or corrective action activities in excess of those required to meet the minimum requirements of Title XVI of the Act.

Costs associated with laboratory analysis were proposed in the Corrective Action Plan (CAP) and Budget received by the Illinois EPA on March 22, 2021, and approved by the Illinois EPA on June 22, 2021. The subsequent CAP or Corrective Action Completion Report (CACR) documenting the completion of the approved corrective action activities has not been submitted to the Illinois EPA; therefore, these costs cannot be reimbursed at this time.

You may resubmit these costs to the Illinois EPA when the report documenting completion of the approved activities is submitted and supported by appropriate documentation. Please take note that pursuant to 35 Ill. Adm. Code 734.605(e), applications for payment may be submitted no more than once every 90 days.

3. \$335.35, for costs associated with drum disposal. These costs cannot be reimbursed at this time because the requirements set forth in Section 57.8(a)(1) of the Environmental Protection Act, as amended by Public Act 104-291, are not yet met. Pursuant to Section 57.8(a)(1) a payment determination shall be made by the Agency upon receipts of both the complete application for payment and the report documenting completion of the approved activities. Since the subsequent report documenting completion of the activities approved in the plan has not yet been received by the Illinois EPA, we cannot make a payment determination for the requested disposal costs at this time.

In addition, deduction for drum disposal costs that lack supporting documentation. Such costs are ineligible for payment from the Fund pursuant to 35 Ill. Adm. Code 734.630(cc). Since there is no supporting documentation of costs, the Illinois EPA cannot determine that the costs will be used for activities necessary to meet the minimum requirements of Title XVI of the Act. Therefore, such costs are not approved pursuant to Section 57.7(c)(3) of the Act and 35 Ill. Adm. Code 734.630(o) because they may be used for site investigation or corrective action activities in excess of those required to meet the minimum requirements of Title XVI of the Act.

Costs associated with drum disposal were proposed in the Corrective Action Plan (CAP) and Budget received by the Illinois EPA on March 22, 2021, and approved by the Illinois EPA on June 22, 2021. The subsequent CAP or Corrective Action Completion Report

(CACR) documenting the completion of the approved corrective action activities has not been submitted to the Illinois EPA; therefore, these costs cannot be reimbursed at this time.

You may resubmit these costs to the Illinois EPA when the report documenting completion of the approved activities is submitted and supported by appropriate documentation. Please take note that pursuant to 35 Ill. Adm. Code 734.605(e), applications for payment may be submitted no more than once every 90 days.

4. \$14,658.24, for costs associated with personnel. These costs cannot be reimbursed at this time because the requirements set forth in Section 57.8(a)(1) of the Environmental Protection Act, as amended by Public Act 104-291, are not yet met. Pursuant to Section 57.8(a)(1) a payment determination shall be made by the Agency upon receipts of both the complete application for payment and the report documenting completion of the approved activities. Since the subsequent report documenting completion of the activities approved in the plan has not yet been received by the Illinois EPA, we cannot make a payment determination for the requested personnel costs at this time.

In addition, deduction for personnel costs that lack supporting documentation. Such costs are ineligible for payment from the Fund pursuant to 35 Ill. Adm. Code 734.630(cc). Since there is no supporting documentation of costs, the Illinois EPA cannot determine that the costs will be used for activities necessary to meet the minimum requirements of Title XVI of the Act. Therefore, such costs are not approved pursuant to Section 57.7(c)(3) of the Act and 35 Ill. Adm. Code 734.630(o) because they may be used for site investigation or corrective action activities in excess of those required to meet the minimum requirements of Title XVI of the Act.

Costs associated with personnel were proposed in the Corrective Action Plan (CAP) and Budget received by the Illinois EPA on March 22, 2021, and approved by the Illinois EPA on June 22, 2021. The subsequent CAP or Corrective Action Completion Report (CACR) documenting the completion of approved corrective action activities has not been submitted to the Illinois EPA; therefore, these costs cannot be reimbursed at this time.

You may resubmit these costs to the Illinois EPA when the report documenting completion of the approved activities is submitted and supported by appropriate documentation. Please take note that pursuant to 35 Ill. Adm. Code 734.605(e), applications for payment may be submitted no more than once every 90 days.

5. \$1,793.80, for costs associated with materials. These costs cannot be reimbursed at this time because the requirements set forth in Section 57.8(a)(1) of the Environmental Protection Act, as amended by Public Act 104-291, are not yet met. Pursuant to Section 57.8(a)(1) a payment determination shall be made by the Agency upon receipts of both the complete application for payment and the report documenting completion of the approved activities. Since the subsequent report documenting completion of the activities approved in the plan has not yet been received by the Illinois EPA, we cannot make a payment determination for the requested materials at this time.

In addition, deduction for materials costs that lack supporting documentation. Such costs are ineligible for payment from the Fund pursuant to 35 Ill. Adm. Code 734.630(cc). Since there is no supporting documentation of costs, the Illinois EPA cannot determine that the costs will be used for activities necessary to meet the minimum requirements of Title XVI of the Act. Therefore, such costs are not approved pursuant to Section 57.7(c)(3) of the Act and 35 Ill. Adm. Code 734.630(o) because they may be used for site investigation or corrective action activities in excess of those required to meet the minimum requirements of Title XVI of the Act.

Costs associated with materials were proposed in the Corrective Action Plan (CAP) and Budget received by the Illinois EPA on March 22, 2021, and approved by the Illinois EPA on June 22, 2021. The subsequent CAP or Corrective Action Completion Report (CACR) documenting the completion of the approved corrective action activities has not been submitted to the Illinois EPA; therefore, these costs cannot be reimbursed at this time.

You may resubmit these costs to the Illinois EPA when the report documenting completion of the approved activities is submitted and supported by appropriate documentation. Please take note that pursuant to 35 Ill. Adm. Code 734.605(e), applications for payment may be submitted no more than once every 90 days.

6. \$849.70, for costs associated with handling. These costs cannot be reimbursed at this time because the requirements set forth in Section 57.8(a)(1) of the Environmental Protection Act, as amended by Public Act 104-291, are not yet met. Pursuant to Section 57.8(a)(1) a payment determination shall be made by the Agency upon receipts of both the complete application for payment and the report documenting completion of the approved activities. Since the subsequent report documenting completion of the activities approved in the plan has not yet been received by the Illinois EPA, we cannot make a payment determination for the requested handling costs at this time.

In addition, deduction for handling costs that lack supporting documentation. Such costs are ineligible for payment from the Fund pursuant to 35 Ill. Adm. Code 734.630(cc). Since there is no supporting documentation of costs, the Illinois EPA cannot determine that the costs will be used for activities necessary to meet the minimum requirements of Title XVI of the Act. Therefore, such costs are not approved pursuant to Section 57.7(c)(3) of the Act and 35 Ill. Adm. Code 734.630(o) because they may be used for site investigation or corrective action activities in excess of those required to meet the minimum requirements of Title XVI of the Act.

Costs associated with handling were proposed in the Corrective Action Plan (CAP) and Budget received by the Illinois EPA on March 22, 2021, and approved by the Illinois EPA on June 22, 2021. The subsequent CAP or Corrective Action Completion Report (CACR) documenting the completion of the approved corrective action activities has not been submitted to the Illinois EPA; therefore, these costs cannot be reimbursed at this time.

You may resubmit these costs to the Illinois EPA when the report documenting completion of the approved activities is submitted and supported by appropriate

documentation. Please take note that pursuant to 35 Ill. Adm. Code 734.605(e), applications for payment may be submitted no more than once every 90 days.

**Please note that costs for preparing CAP #8 are being reimbursed at this time.**

Appeal Rights

An underground storage tank owner or operator may appeal this final decision to the Illinois Pollution Control Board pursuant to Sections 40 and 57.7(c)(4) of the Act by filing a petition for a hearing within 35 days after the date of issuance of the final decision. However, the 35-day period may be extended for a period not to exceed 90 days by written notice from the owner or operator and the Illinois EPA within the initial 35-day appeal period. If the owner or operator wishes to receive a 90-day extension, a written request that includes a statement of the date the final decision was received, along with a copy of this decision, must be sent to the Illinois EPA as soon as possible.

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

Clerk of the Board  
Illinois Pollution Control Board  
60 East Van Buren Street, Ste. 630  
Chicago, IL 60605  
(312) 814-3461

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

Illinois Environmental Protection Agency  
Division of Legal Counsel  
2520 West Iles Avenue  
Post Office Box 19276  
Springfield, IL 62794-9276  
(217) 782-5544