

SPRINGFIELD OFFICE:
103A STATE HOUSE
SPRINGFIELD, ILLINOIS 62706
217/782-0052
FAX: 217/782-4079

DISTRICT OFFICE:
52 WEST DOWNER PLACE
SUITE 201
AURORA, ILLINOIS 60506
630/264-2334
FAX: 630/264-1566

www.lauzen.com

ILLINOIS STATE SENATE



CHRIS LAUZEN
STATE SENATOR
25TH LEGISLATIVE DISTRICT

COMMITTEES:

MINORITY SPOKESMAN
REVENUE

MEMBER:

APPROPRIATIONS I
APPROPRIATIONS II
APPROPRIATIONS III
LEGISLATIVE AUDIT
COMMISSION-CO-CHAIR

September 22, 2005

Marie Tipsord, Hearing Officer
Pollution Control Board
James R. Thompson Center
100 W. Randolph, Ste. 11-500
Chicago, IL 60601

RE: R04-22 & R04-23 Proposed Amendments to Regulations of Petroleum Leaking
Underground Storage Tanks

Dear Ms. Tipsord:

It has come to my attention that the Illinois Environmental Protection Agency (IEPA) has proposed substantive changes to the Illinois Leaking Underground Storage Tank (LUST) regulations. It is apparent, however, that significant concerns are present within the IEPA's alternative proposal. As a Senator, I understand the need for conserving tax payer funds. However, I'm also concerned about the environment and the overall economic status of our state. As proposed, these regulations are not justifiable and will impact citizens in the following primary areas:

- Improperly Calculated Maximum Payment Amounts—It is unjust to enforce rate restrictions on the regulated community when the economic impact of said rate restrictions has not been properly evaluated. Additionally, it is not feasible to restrict owner or operator reimbursement based on improperly calculated rates.
- Property Value Reduction and Environmental Impact—By eliminating the reimbursement of costs associated with groundwater remediation for sites located within the influence of a groundwater ordinance, owners and operators will be forced to accommodate drastic reductions in property value or expend thousands of dollars in remediation costs above their state determined deductible. Furthermore, this reliance on groundwater use restrictions will only serve to degrade our groundwater quality and does not protect human health or the environment.

Therefore, I request that ruling on the proposed revisions to 734 and 732 LUST regulations be delayed until a more suitable solution can be developed.

Very sincerely,

A handwritten signature in cursive script that reads "Chris Lauzen".

Christopher J. Lauzen

DISTRICT OFFICE:
103 FIFTH STREET
PO BOX 260
PERU, ILLINOIS 61354
(815) 220-8720
FAX: (815) 220-8721

CAPITOL OFFICE:
105F STATE HOUSE
SPRINGFIELD, IL 62706
(217) 782-3840
FAX: (217) 782-4079



GARY G. DAHL
STATE SENATOR - 38TH DISTRICT

COMMITTEES:

MINORITY SPOKESPERSON
AGRICULTURE

MEMBER:

LOCAL GOVERNMENT

COMMERCE & ECONOMIC
DEVELOPMENT

September 20, 2005

Illinois Pollution Control Board
100 W. Randolph
Suite 11-516
Chicago, Illinois 60601

Re: Proposed revisions to fund regulations R04-022 and R04-023

To Whom It Concerns:

I understand the Board is considering alternative regulations pertaining to the leaking underground storage tank fund. In reviewing the proposed regulations, I have many concerns, chief among them is that they are unequitable and lack a rational basis. I strongly believe that a change, as proposed, would not be in the best interest of property owners, municipalities/townships, taxpayers and the State of Illinois.

I am additionally interested in learning why these regulations are being changed at this time and the justification for the proposed rules as currently drafted. It seems to me that the proposals are changing a proven and successful program in favor of one that is inherently flawed with problems that will continue on indefinitely. The LUST fund was established to clean up contaminated sites. If these rules are adopted, the contamination problem will never end. We need to take the responsible action and clean up sites now and completely. These problems should not be left for future generations to deal with.

I hereby request that the IPCB delay passing judgment on the proposed revisions to regulations R04-022 and R04-023 until such time that alternative rules can be developed and fully considered.

Sincerely,

A handwritten signature in cursive script that reads "Gary Dahl".

Senator Gary Dahl

GGD/jwe

STATEMENT OF SUPPORT

I hereby provide this statement to document my support of the proposed revisions to the leaking underground storage tank regulations R04-022 and R04-023 as submitted by United Science Industries, Inc. to the Illinois Pollution Control Board.

Signature

Name Printed

Company

Comments:



REQUEST FOR DELAY

I hereby provide this statement as a request that the Illinois Pollution Control Board delay the rulemaking in regard to the proposed revisions to the leaking underground storage tank furd regulations R04-022 and R04-023 until such a time that more fair and equitable rules can be prepared.

Senator AJ Wilhelmi

Signature

Arthur "AJ" Wilhelmi

Name Printed

State Senator - 43rd Dist.

Comments:

STATEMENT OF SUPPORT

I hereby provide this statement to document my support of the proposed revisions to the leaking underground storage tank regulations R04-022 and R04-023 as submitted by United Science Industries, Inc. to the Illinois Pollution Control Board.

David Luechtefeld
Signature

David Luechtefeld
Name Printed

State Senate
Company

Comments:

✂

REQUEST FOR DELAY

I hereby provide this statement as a request that the Illinois Pollution Control Board delay the rulemaking in regard to the proposed revisions to the leaking underground storage tank fund regulations R04-022 and R04-023 until such a time that more fair and equitable rules can be prepared.

David Luechtefeld
Signature

David Luechtefeld
Name Printed

State Senate

Comments:

Sep-23-05 12:10

From: United Science Industries

6187252907

T-114 P.02/03 F-159

STATEMENT OF SUPPORT

I hereby provide this statement to document my support of the proposed revisions to the leaking underground storage tank regulations R04-022 and R04-023 as submitted by United Science Industries, Inc. to the Illinois Pollution Control Board.

Frank Watson
Signature

FRANK WATSON
Name Printed

Illinois State Senator
Company

Comments:

✂

REQUEST FOR DELAY

I hereby provide this statement as a request that the Illinois Pollution Control Board delay the rulemaking in regard to the proposed revisions to the leaking underground storage tank fund regulations R04-022 and R04-023 until such a time that more fair and equitable rules can be prepared

Frank Watson
Signature

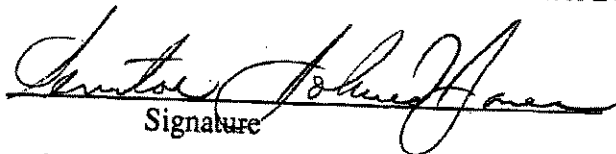
FRANK WATSON
Name Printed

Illinois State Senator

Comments:

STATEMENT OF SUPPORT

I hereby provide this statement to document my support of the proposed revisions to the leaking underground storage tank regulations R04-022 and R04-023 as submitted by United Science Industries, Inc. to the Illinois Pollution Control Board.


Signature

SENATOR JOHN D. JONES
Name Printed

ILLINOIS STATE SENATE
Company

Comments: