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RECEIVED
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JUN 07 2004
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STATE OF ILLINOIS
Pollution Control Board

June 3, 2004

Illinois Pollution Control Board
100 W. Randolph
Suite 11-500
Chicago, Il. 60601

Re: PCB 02-177

Pollution Control Board,

I have received your opinion and order on the above referenced.

It seems the \$3,500.00 penalty is rather harsh, considering the circumstances.

The Opinion refers to my posing as the operator of the Oestreich tank battery. At the time I made the Assignment and OG26 form to John Prior, we believed The Permit transfer would be made timely. This of course did not happen Until the D.N.R. did an administrative transfer.

I am convinced the Oestreich lease was never operated after the Assignment Was made. There was a tool lost in the hole and after I decided to plug and Abandon the well Mr. Prior wanted to purchase the lease and try to salvage The well, thus the Assignment.

I was lax in that I did not follow up as closely as I should have to get the Permit transferred, partly because I knew the well was not being operated.

I would appreciate any consideration and mercy the board can give to reducing The penalty.

Thank you in advance for your consideration of this matter.

Sincerely,

James Mezo