

BEFORE THE POLLUTION CONTROL BOARD
OF THE STATE OF ILLINOIS

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CLERK'S OFFICE

AUG 27 2003

STATE OF ILLINOIS
Pollution Control Board

WEI ENTERPRISES,

Petitioner,

v.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Respondent.

PCB No. 04- 22

(LUST Appeal - Ninety Day Extension)

UST Fund Reimbursement

NOTICE

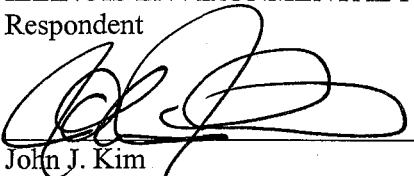
Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street
Suite 11-500
Chicago, IL 60601

Robert J. Pulfrey, Project Manager
United Science Industries
P.O. Box 360
6295 East Illinois Highway 15
Woodlawn, IL 62898-0360

PLEASE TAKE NOTICE that I have today filed with the office of the Clerk of the Pollution Control Board a REQUEST FOR NINETY DAY EXTENSION OF APPEAL PERIOD, copies of which are herewith served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,
Respondent



John J. Kim
Assistant Counsel
Special Assistant Attorney General
Division of Legal Counsel
1021 North Grand Avenue, East
P.O. Box 19276
Springfield, Illinois 62794-9276
217/782-5544
217/782-9143 (TDD)
Dated: August 15, 2003

0-1-S

STATE OF ILLINOIS
Pollution Control Board

PCB No. 04-22
(LUST Appeal – Ninety Day Extension)

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,
Respondent

A handwritten signature in black ink, appearing to read 'J. Kim', written over a horizontal line.

John J. Kim
Assistant Counsel
Special Assistant Attorney General
Division of Legal Counsel
1021 North Grand Avenue, East
P.O. Box 19276
Springfield, Illinois 62794-9276
217/782-5544
217/782-9143 (TDD)
Dated: August 15, 2003

This filing submitted on recycled paper.



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

JUL 15 2003

Wei Enterprises
Attention: Susan Wei
Post Office Box 834
O'Fallon, IL 62269

Re: LPC #1631255004 -- St. Clair County
Shiloh/Wei Enterprise
529 Maple Street
LUST Incident No. 982804
LUST FISCAL FILE

Dear Ms. Wei:

The Illinois Environmental Protection Agency has completed the review of your application for payment from the Underground Storage Tank Fund for the above-referenced LUST incident pursuant to Section 57.8(a) of the Illinois Environmental Protection Act (Act), and 35 Ill. Adm. Code 732. Subpart F. This information is dated April 30, 2003 and was received by the Agency on May 2, 2003. The application for payment covers the period from February 1, 2003 to March 31, 2003. The amount requested is \$9,161.06.

The deductible amount for this claim is \$10,000.00, which was previously deducted from the Invoice Voucher dated February 16, 2000. Listed in Attachment A are the costs which are not being paid and the reasons these costs are not being paid.

On May 2, 2003, the Agency received your complete application for payment for this claim. As a result of the Agency's review of this application for payment, a voucher cannot be prepared for submission to the Comptroller's office 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 Agency. This constitutes the Agency's final action with regard to the above application(s) for payment.

An underground storage tank owner or operator may appeal this final decision to the Illinois Pollution Control Board (Board) pursuant to Section 57.8(i) and Section 40 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 of time 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 applicant wishes to receive a 90-day extension, a written request that includes a statement of the

ROCKFORD - 4302 North Main Street, Rockford, IL 61103 - (815) 987-7760 • DES PLAINES - 9511 W. Harrison St., Des Plaines, IL 60016 - (847) 294-4000

ELGIN - 595 South State, Elgin, IL 60120 - (815) 734-7600

BUREAU OF LAND - PEORIA - 7620 N. University St., Peoria, IL 61614 - (309) 693-5463

SPRINGFIELD - 4500 S. Sixth Street Rd., Springfield, IL 62734 - (217) 278-5800

MA

CHAMPAIGN - 1001 E. Champaign, IL 61820 - (217) 278-5800
MILAN - 1001 E. Champaign, IL 61820 - (217) 278-5800
MILANVILLE - 1001 E. Champaign, IL 61820 - (217) 278-5800

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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:

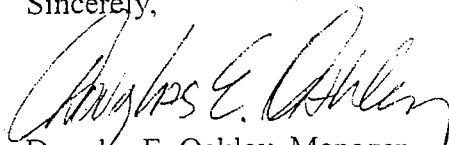
Dorothy Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center
100 West Randolph, Suite 11-500
Chicago, Illinois 60601
312/814-3620

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 or require further assistance, please contact Lieura Hackman of my staff at 217/782-6762.

Sincerely,



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

DEO:LH:jk\031739.doc

Attachment

cc: United Science Industries, Inc.

Attachment A
Technical Deductions

Re: LPC #163255004 – St. Clair County
Shiloh/Wei Enterprises
529 Maple Street
LUST Incident No. 982804
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. | \$9,161.06, 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 billing package relates to costs that were not approved in the Agency letter dated May 2, 2003. In addition, the current proposed Corrective Action Plan indicates the free product will be remediated by excavation and disposal.

HAC:MW:mw\982804FiscalAttachment A.DOC



P.O. Box 360
6295 East Illinois Highway 15
Woodlawn, Illinois 62898-0360

Phone: (618) 735-2411

Fax: (618) 735-2907

E-Mail: unitedscience@unitedscience.com

July 16, 2003

Illinois Environmental Protection Agency
Division of Legal Counsel
1021 North Grand Avenue East
Springfield, IL 62794-9276

Attn: John Kim

**Re: LPC# 1631255004 – St. Clair County
Shiloh/Wei Enterprises
529 Maple St.
LUST Incident No. 982804
LUST TECHNICAL FILE**

RECEIVED
Division of Legal Counsel

JUL 21 2003
Environmental Protection
Agency

Dear Mr. Kim:

United Science Industries, Inc. (USI), on behalf of our client, Wei Enterprises, is requesting a 90-day extension of the 35-day appeal period in regards to the IEPA correspondence included.

I appreciate your time and consideration in this matter. If you have any questions or comments regarding this matter please contact me at 618-735-2411 ext. 145.

Sincerely yours,

UNITED SCIENCE INDUSTRIES, INC.

Robert J. Pulfrey
Project Manager

Enclosures

RJP;jlr

CERTIFICATE OF SERVICE

I, the undersigned attorney at law, hereby certify that on August 15, 2003, I served true and correct copies of a REQUEST FOR NINETY DAY EXTENSION OF APPEAL PERIOD, by placing true and correct copies in properly sealed and addressed envelopes and by depositing said sealed envelopes in a U.S. mail drop box located within Springfield, Illinois, with sufficient First Class Mail postage affixed thereto, upon the following named persons:

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street
Suite 11-500
Chicago, IL 60601

Robert J. Pulfrey, Project Manager
United Science Industries
P.O. Box 360
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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,

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