

Tim Fox - RE: Used Oil R06-20

PC#37

From: "Stephanie Flowers" <Stephanie.Flowers@epa.state.il.us>
To: <cmanning@bhslaw.com>, <foxt@ipcb.state.il.us>
Date: 9/7/2006 10:28:01 AM
Subject: RE: Used Oil R06-20

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STATE OF ILLINOIS
Pollution Control Board

Hearing Officer Fox,

The Illinois EPA must object to opening the record for substantive comments. The Illinois EPA believes sufficient time was allowed to develop post-hearing comments. If the Hearing Officer believes that if he allows typo corrections he should also open the record to further substantive comments then the Illinois EPA will not proceed with its request to correct the citations. Please let me know if I may proceed with the request to correct the citations without risking opening the record for further substantive comments, otherwise the Illinois EPA is willing to let the record stand.

Thank you,
 Stephanie Flowers
 Associate Counsel
 Illinois Environmental Protection Agency

>>> "Claire A. Manning" <cmanning@bhslaw.com> 9/7/2006 9:19 AM >>>

Hearing Officer Fox:

I have no problem with Ms. Flowers correcting the citations as she requests. However, I have a request of my own. Since IEPA's brief made arguments and assertions that they have never made (and, in fact, indicated variously at hearing an unpreparedness to make) I feel an obligation on behalf of my clients to respond to their brief. Please advise.

Thank you.

Claire A. Manning

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From: Stephanie Flowers [mailto:Stephanie.Flowers@epa.state.il.us]
Sent: Wednesday, September 06, 2006 3:19 PM
To: Claire A. Manning; foxt@ipcb.state.il.us
Subject: Used Oil R06-20

Tim and Claire,

I found two typos for the federal register citations in the Agency's post-hearing comments filed 9-1-06. I plan to file a correction of the Agency's comments with the Board so that the references are accurate. Let me know if you have any questions.

Thanks,
Stephanie