BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY)	
)	
Complainant,)	
)	
v.)	AC 2012-051
)	(IEPA No. 87-12-AC)
NORTHERN ILLINOIS)	(Administrative Citation)
SERVICE COMPANY,)	
)	
Respondent.)	

NOTICE

John T. Therriault Clerk of the Board Illinois Pollution Control Board 100 West Randolph Street, Suite 11-500 Chicago, Illinois 60601-3218

Peter DeBruyne Peter DeBruyne, P.C. 838 North Main Street Rockford, IL 61103

Bradley P. Halloran Hearing Officer Illinois Pollution Control Board 100 West Randolph Street, Suite 11-500 Chicago, Illinois 60601-3218

PLEASE TAKE NOTICE that I have today caused to be filed COMPLAINANT'S STATEMENT OF HEARING COSTS with the Illinois Pollution Control Board, a copy of which is served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,

Complainant,

Dated: December 15, 2014

Scott B. Sievers Attorney Registration No. 6275924 1021 North Grand Avenue East P.O. Box 19276 Springfield, Illinois 62794-9276 (217) 782-5544

BY:

Scott B. Sievers

Special Assistant Attorney General

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY)	
)	
Complainant,)	
)	
v.)	AC 2012-051
)	(IEPA No. 87-12-AC)
NORTHERN ILLINOIS)	(Administrative Citation)
SERVICE COMPANY,)	
)	
Respondent.)	

COMPLAINANT'S STATEMENT OF HEARING COSTS

NOW COMES the Complainant, ILLINOIS ENVIRONMENTAL PROTECTION

AGENCY ("Illinois EPA"), by and through its counsel, Special Assistant Attorney General Scott

B. Sievers, and, pursuant to 415 ILCS 5/42(b)(4-5), Ill. S.Ct. Rule 208(d), 35 Ill. Adm. Code

101.100(b), 35 Ill. Adm. Code 101.500(a), 35 Ill. Adm. Code 108.500(b)(3) and 35 Ill. Adm.

Code 108.502, presents its statement of hearing costs for this case as follows:

TOTA	AL CLAIMED:	\$994.00
5.	Per diem reimbursment for attorney for final hearing	\$35.00
4.	Lodging of attorney @ Fairfield Inn for final hearing	\$79.80
3.	Transcript of Illinois EPA Inspector Donna Shehane taken by Northern Illinois Service Company	\$335.30
2.	Transcripts of William Hoff & Paul Munson depositions	\$348.90
1.	Depositions of Northern Illinois Service Company employees William Hoff and Paul Munson	\$195.00

An affidavit in support of this statement is attached as Exhibit A and incorporated herein.

WHEREFORE, the Complainant, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, prays that this Honorable Board ORDER the Defendant to pay \$994.00 to the Complainant for its hearing costs in this case.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,

Complainant,

Dated: December 15, 2014

Scott B. Sievers Attorney Registration No. 6275924 1021 North Grand Avenue East P.O. Box 19276 Springfield, Illinois 62794-9276 (217) 782-5544

BY:

Scott B. Sievers

Special Assistant Attorney General

STATE OF ILLINOIS)	Illinois EPA v. Northern Illinois Serv. Co.
) SS	Illinois Pollution Control Board
COUNTY OF SANGAMON)	Case No. AC 12-51

AFFIDAVIT

I, SCOTT B. SIEVERS, under oath, state that I have personal knowledge of the statements contained in this affidavit, that I am over 21 years of age and of sound mind and body, and if called to testify, I would testify as follows:

- 1. I am employed by the Illinois Environmental Protection Agency as an Assistant Counsel for the Bureau of Land. As part of my duties, I am responsible for the litigation of Administrative Citations issued by the Illinois EPA.
- 2. I have reviewed the Illinois EPA Division of Legal Counsel File 87-12-AC, which relates to PCB No. AC 12-51, *Illinois EPA v. Northern Illinois Service Company*, for the purpose of determining the costs expended by Illinois EPA.
- 3. Illinois EPA incurred and paid \$543.90 in court reporter costs from deposing Northern Illinois Service Company employees William Hoff and Paul Munson and obtaining transcripts of those depositions. Said depositions were referenced in the final hearing in this matter. (Tr. at 101:20-104:9; 117:11-17; 119:23-120:4; 133:16-18.) A true and accurate copy of an invoice for these costs is attached as Exhibit A-1.
- 4. Illinois EPA incurred and paid \$335.30 in court reporter costs in obtaining a transcript of the deposition of Illinois EPA Inspector Donna Shehane taken by Northern Illinois Service Company. Said deposition was referenced in the final hearing in this matter. (Tr. at 57:4; see 65:20.) A true and accurate copy of an invoice for these costs is attached as Exhibit A-2.

EXHIBIT

A

- 5. Illinois EPA incurred \$114.80 in costs for my travel to Rockford for the July 24, 2014, which includes hotel lodging and per diem. A true and accurate copy of my travel voucher and the hotel bill documenting these costs are attached as Exhibits A-3 and A-4, respectively.
- 6. In total, Illinois EPA incurred \$994.00 in out-of-pocket costs for litigating *Illinois*EPA v. Northern Illinois Service Company, PCB No. AC 12-51.

I have read the foregoing and affirm that the facts contained herein are true and correct to the best of my knowledge and belief.

FURTHER AFFIANT SAYETH NOT.

SCOTT B. SIEVERS

Assistant Counsel

Division of Legal Counsel

Illinois Environmental Protection Agency

Subscribed and sworn to before me

this 15 day of December, 2014.

Notary Public

OFFICIAL SEAL

DAWN A. HOLLIS

NOTARY PUBLIC, STATE OF ILLINOIS MY COMMISSION EXPIRES 8-19-2016

Diane Hromek Court Reporters, Inc.

1202 N 75th Street Downers Grove, IL 60516 Phone # 800-556-5554 dianehromek@gmail.com

Invoice

DATE	INVOICE#
11/1/2013	100094-C

BILL TO	
IEPA Fiscal Services	
PO Box 19276	1
Springfield, IL 62794-9276	
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EXHIBIT

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		Case No.	TERMS	REPORTER	Case Name
		AC2012-051	Payment on Receipt	DMH	
DATE	DESCRIP	TION	QTY	RATE	AMOUNT
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INVOICE

916 North Church Street Rockford, Illinois 61103-7019 815-968-0015 F 815-968-0234 mprdeps.com

Established 1983

ATTORNEY SCOTT B. SIEVERS ILLINOIS ENVIRONMENTAL PROTECTION AGENCY 1021 NORTH GRAND AVENUE EAST PO BOX 19276

SPRINGFIELD, IL 62794-9276

December 12, 2014

Invoice# C2655A

Balance: \$.00

Caption: ILLINOIS EPA VS. N. ILLINOIS SERVICE CO.

CASE NO. AC 12-51

Scheduled: 10/22/13 Billed: 11/06/13

Reporter: JULIE M. CASTREE

Invoicing Information

Charge Description Amount DEPOSITION TRANSCRIPT OF DONNA SHEHANE (COPY)* 279.30 EXHIBIT REPRODUCTION* 44.00 DELIVERY FEE 12.00 AGENCY OFD # SWM-4580

* NOTE: UPON RECEIPT OF YOUR PAYMENT WE WILL IMMEDIATELY DELIVER THE TRANSCRIPT, THANK YOU.

> Sub Total: 335.30

Payments/Credits: 335.30

Please Remit ---> Total Due: \$.00

MIDWEST PROFESSIONAL REPORTING, INC. THIS INVOICE IS DUE AND PAYABLE UPON RECEIPT AND BECOMES DELINQUENT IN 30 DAYS. FED ID #36-3892092

EXHIBIT

Electronic Filing - Received, Clerk's Office: 12/15/2014 Travel Voucher

State of Illinois Form C-10

Disposition of Copies

Illinois Environmental Protection Agency

RECEIVED

AUG 1 8 2014

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EXHIBIT A-3

Fairfield Inn & Suites by Marriott Rockford 7651 Waiton Street Rockford IL 61108 815.398.7400



S. Sievers

Room: 411

Room Type: KING

Number of Guests: 1

Rate: \$70.00

Clerk:

Arrive: 23Jul14	Time: 06:12PM	Depart: 24Jul14	Time:	Folio Number: 84191
			Charges	Credits
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As a Rewards Member, you could have earned points toward your free dream vacation today. Start earning points and elite status, plus enjoy exclusive member offers. Enroll today at the front desk.

As requested, a final copy of your bill will be emailed to you at: SCOTT.SIEVERS@IL.GOV. See "Internet Privacy Statement" on Marriott.com.

EXHIBIT

A-4

A-4

<u>Illinois Environmental Protection Agency v. Robert Manker</u> Pollution Control Board No. AC 13-7

CERTIFICATE OF SERVICE

Scott B. Sievers, Special Assistant Attorney General, herein certifies that he has served a copy of the foregoing COMPLAINANT'S STATEMENT OF HEARING COSTS upon:

John Therriault Clerk of the Board Illinois Pollution Control Board 100 West Randolph Street, Suite 11-500 Chicago, Illinois 60601-3218

Peter DeBruyne Peter DeBruyne, P.C. 838 North Main Street Rockford, IL 61103

Bradley P. Halloran Hearing Officer Illinois Pollution Control Board 100 West Randolph Street, Suite 11-500 Chicago, Illinois 60601-3218

by mailing true copies thereof to the addresses referred to above in envelopes duly addressed bearing proper first class postage and deposited in the United States mail at Springfield, Illinois, on December 15, 2014.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,

Complainant,

Dated: December 15, 2014

Scott B. Sievers Attorney Registration No. 6275924 1021 North Grand Avenue East P.O. Box 19276 Springfield, Illinois 62794-9276 (217) 782-5544

BY:

Scott B. Sievers
Special Assistant Attorn

Special Assistant Attorney General