

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

CHATHAM BP, LLC,)	
)	
Petitioner,)	
)	
v.)	PCB 2015-173
)	(UST Appeal)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

NOTICE

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

William D. Ingersoll
Brown, Hay & Stephens, LLP
205 S. Fifth Street, Suite 700
P.O. Box 2459
Springfield, IL 62705-2459

Carol Webb
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
P.O. Box 19274
Springfield, IL 62794-9274

PLEASE TAKE NOTICE that I have today caused to be filed a RESPONSE TO PETITIONER'S MOTION TO QUASH RESPONDENT'S RULE 237(b) NOTICE AND MOTION TO WITHDRAW NOTICE with the Pollution Control Board, a copy of which is served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Dated: May 22, 2015

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

Respondent,

BY:



Scott B. Sievers
Special Assistant Attorney General

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

CHATHAM BP, LLC,)	
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Petitioner,)	
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v.)	PCB 2015-173
)	(UST Appeal)
ILLINOIS ENVIRONMENTAL)	
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**RESPONSE TO PETITIONER'S MOTION TO QUASH
RESPONDENT'S RULE 237(b) NOTICE AND MOTION TO WITHDRAW NOTICE**

NOW COMES the Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, by and through its attorney, Special Assistant Attorney General Scott B. Sievers, and both responds to the Petitioner's Motion to Quash Respondent's Rule 237(b) Notice and moves to withdraw said notice. In support, the Respondent states the following:

1. On May 14, 2015, the Respondent filed and served its Rule 237(b) Notice for Shamsher Sing Amar to Appear.

2. On May 19, 2015, Petitioner's Motion to Quash Respondent's Rule 237(b) Notice was filed.

3. By e-mail on May 20, 2015, counsel for the Respondent offered to withdraw the notice for Mr. Amar if the Petitioner would agree to produce Carol Rowe at the hearing in this action. (Ex. A.) Counsel for the Petitioner agreed. (*Id.*)

4. Consequently, the Respondent moves to withdraw its Rule 237(b) Notice for Shamsher Sing Amar to Appear.

WHEREFORE, the Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, responds to the Petitioner's Motion to Quash Respondent's Rule 237(b) Notice and, as the Petitioner has agreed to produce Carol Rowe at the hearing in this action, moves to withdraw its Rule 237(b) Notice for Shamsheer Sing Amar to Appear.

Dated: May 22, 2015

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

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Respondent,

BY:



Scott B. Sievers
Special Assistant Attorney General

Sievers, Scott

From: William D. Ingersoll <wingersoll@bhslaw.com>
Sent: Wednesday, May 20, 2015 12:17 PM
To: Sievers, Scott; Webb, Carol
Subject: RE: Chatham BP, PCB 15-173

Scott,

Agreed. I apologize for not getting back to you sooner. Ms. Rowe is out of the office, so we had to get a message to her. Also, Mr. Amar thanks you for your understanding. It is appreciated.

Bill

William D. Ingersoll
Of Counsel
Brown, Hay & Stephens, LLP
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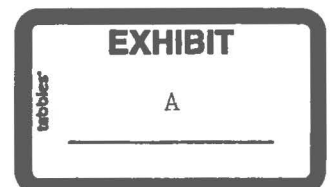
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From: Sievers, Scott [<mailto:Scott.Sievers@Illinois.gov>]
Sent: Wednesday, May 20, 2015 6:55 AM
To: William D. Ingersoll; Webb, Carol
Subject: Re: Chatham BP, PCB 15-173

If the Petitioner will agree to produce Carol Rowe at the hearing, the Respondent will agree to withdraw the notice for Mr. Amar to appear.

Scott

From: William D. Ingersoll <wingersoll@bhslaw.com>
Sent: Tuesday, May 19, 2015 2:52 PM
To: Webb, Carol
Cc: Sievers, Scott
Subject: Chatham BP, PCB 15-173



Copy of motion directed to Hearing Officer e-filed today. As usual, paper copies will be coming in the mail.

Electronic Filing - Received, Clerk's Office : 05/22/2015

William D. Ingersoll
Of Counsel
Brown, Hay & Stephens, LLP
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Chatham BP, LLC v. Illinois Environmental Protection Agency
Pollution Control Board No. 2015-173

CERTIFICATE OF SERVICE

Scott B. Sievers, Special Assistant Attorney General, herein certifies that he has served a copy of the foregoing RESPONSE TO PETITIONER'S MOTION TO QUASH RESPONDENT'S RULE 237(b) NOTICE AND MOTION TO WITHDRAW NOTICE upon:

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

William D. Ingersoll
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Carol Webb
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
P.O. Box 19274
Springfield, IL 62794-9274

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 May 22, 2015.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Dated: May 22, 2015

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

Respondent,

BY:



Scott B. Sievers
Special Assistant Attorney General