

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)	
)	AS 19-002
Petition of Emerald Polymer)	
Additives, LLC for an Adjusted)	(Adjusted Standard)
Standard from 35 Ill. Adm. Code)	
304.122(b))	

To: See attached service list.

NOTICE OF ELECTRONIC FILING

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board ILLINOIS EPA'S AGREED MOTION TO STRIKE PETITIONER'S EXHIBIT 17, for the above-captioned proceeding, a copy of which is herewith served upon you.

Respectfully submitted,

Dated: February 13, 2020

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Rex L. Gradeless, #6303411
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276
(217) 782-5544
Rex.Gradeless@Illinois.Gov

Respondent,

BY: /s/Rex L. Gradeless
Rex L. Gradeless

THIS FILING IS SUBMITTED ELECTRONICALLY

SERVICE LIST

EMERALD POLYMER ADDITIVES, LLC

Thomas W. Dimond

Kelsey Weyhing

ICE MILLER LLP

200 West Madison, Suite 3500

Chicago, Illinois 60606

ILLINOIS POLLUTION CONTROL BOARD

Don Brown, Clerk

James R. Thompson Center

100 W. Randolph, Suite 11-500

Chicago, IL 60601

ILLINOIS POLLUTION CONTROL BOARD

Carol Webb, Hearing Officer

1021 North Grand Avenue East

Springfield, Illinois 62794-9274

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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**ILLINOIS EPA'S AGREED MOTION TO STRIKE
PETITIONER'S EXHIBIT 17**

NOW COMES the ILLINOIS ENVIRONMENTAL PROTECTION AGENCY ("Illinois EPA"), by and through its counsel, and pursuant to 35 Ill. Adm. Code 101.627(g), hereby files its objection and motion to strike Petitioner's Exhibit 17 as follows:

Petitioner did not offer Petitioner's Exhibit 17 at hearing. However, on February 7, 2020, Petitioner filed Petitioner's Exhibit 17 with Petitioner's Hearing Exhibits 13 through 19.

Undersigned counsel has confirmed with Petitioner's counsel that the filing of Petitioner's Exhibit 17 was a mistake and, therefore, Petitioner agrees with this motion.

Thus, pursuant to 35 Ill. Adm. Code 101.627(g), Petitioner's Exhibit 17 should be stricken.

Dated: February 13, 2020

Rex L. Gradeless, #6303411
Division of Legal Counsel
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ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Respondent,

BY: /s/Rex L. Gradeless
Rex L. Gradeless

THIS FILING IS SUBMITTED ELECTRONICALLY

CERTIFICATE OF SERVICE

I, the undersigned, on affirmation state the following:

That I have served the attached **ILLINOIS EPA'S AGREED MOTION TO STRIKE PETITIONER'S EXHIBIT 17** by e-mail upon Thomas W. Dimond at the e-mail address of Thomas.Dimond@icemiller.com, Kelsey Weyhing at the e-mail address of Kelsey.Weyhing@icemiller.com, Christine Zeivel at the e-mail address of Christine.Zeivel@illinois.gov, upon Don Brown at the e-mail address of don.brown@illinois.gov, and upon Carol Webb at the e-mail address of Carol.Webb@illinois.gov.

That I have served the attached **ILLINOIS EPA'S AGREED MOTION TO STRIKE PETITIONER'S EXHIBIT 17** upon any other persons, if any, listed on the Service List, by placing a true copy in an envelope duly address bearing proper first class postage in the United States mail at Springfield, Illinois on February 13, 2020.

I herein certify that each hearing exhibit being electronically filed is an accurate reproduction of the corresponding exhibit offered at the hearing.

That my e-mail address is Rex.Gradeless@Illinois.gov.

That the number of pages in the e-mail transmission is four (4).

That the e-mail transmission took place before 4:30 p.m. on the date of February 13, 2020.

/s/Rex L. Gradeless
February 13, 2020