

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

CHATHAM BP, LLC,)
)
Petitioner,)
)
v.)
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

PCB 2015-173
(UST Appeal)

RECEIVED
CLERK'S OFFICE

MAY 11 2015

STATE OF ILLINOIS
Pollution Control Board



ORIGINAL

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 MOTION FOR LEAVE TO FILE RECORD *INSTANTER* with the Illinois Pollution Control Board, a copy of which is served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Dated: May 8, 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

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MOTION FOR LEAVE TO FILE RECORD *INSTANTER*

NOW COMES the Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, by and through its attorney, Special Assistant Attorney General Scott B. Sievers, and moves for leave to file the enclosed record *instanter*. On May 4, 2015, the Respondent filed its Motion for Extension of Time to File Administrative Record. The undersigned subsequently encountered difficulties in identifying, reviewing, and compiling documents for inclusion in the record, and thus the Respondent now seeks leave to file it *instanter*.

WHEREFORE, the Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, prays that this honorable Board or the honorable Hearing Officer ALLOW the Respondent's MOTION FOR LEAVE TO FILE RECORD *INSTANTER*.

Respectfully submitted,


ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Respondent,

Dated: May 8, 2015

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

Chatham BP, LLC v. Illinois Environmental Protection Agency
Pollution Control Board No. 2015-173

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STATE OF ILLINOIS
Pollution Control Board

CERTIFICATE OF SERVICE

Scott B. Sievers, Special Assistant Attorney General, herein certifies that he has served a copy of the foregoing MOTION FOR LEAVE TO FILE RECORD *INSTANTER* 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
Brown, Hay & Stephens, LLP
205 S. Fifth Street, Suite 700
P.O. Box 2459
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Hearing Officer
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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 8, 2015.

Respectfully submitted,

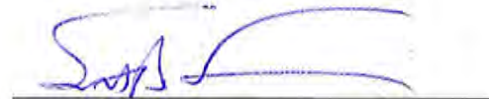
ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Dated: May 8, 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

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CERTIFICATE OF RECORD ON APPEAL

Pursuant to 35 Ill. Adm. Code 105.116(b) and 105.410 and on information and belief, the entire record of the Respondent's decision is enclosed, and the following constitutes an index of documents comprising the record:

DOCUMENT	PAGES
Stage 2 Site Investigation Plan and Budget	R. 001-111
December 18, 2014 PCB Order	R. 112-115
January 14, 2015 to February 23, 2015 Illinois EPA e-mails	R. 116-126
January 20, 2015 Illinois EPA draft letter	R. 127-129
February 25, 2015 Illinois EPA decision letter	R. 130-135
March 27, 2015 Illinois EPA revised decision letter	R. 136-138

CERTIFICATION

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.

BY: Eric Kuhlman
Eric Kuhlman
Environmental Protection Engineer III
Leaking Underground Storage Tank Section
Illinois Environmental Protection Agency