

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PARKER'S GAS & MORE, INC.)	
Petitioner,)	
)	
v.)	PCB 2019-079
)	(LUST Permit Appeal)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
Respondent.)	

**PETITIONER'S RESPONSE TO
ILLINOIS EPA'S MOTION FOR LEAVE TO FILE REPLY**

NOW COMES Petitioner, PARKER'S GAS & MORE, INC., by its undersigned counsel, responds to Illinois EPA's Cross Motion for Summary Judgment pursuant to Section 101.500(D) of the Board's Procedural Rules (35 Ill. Adm. Code § 101.500(D)), stating as follows:

1. On June 24, 2021, Illinois EPA filed a motion for leave to file reply stating that important and material prejudice may result if the Illinois EPA is not allowed to reply.
2. This conclusory claim is unsupported by any factual averments by which the potential presence of material prejudice could be ascertained as required by the Board's procedural rules. 35 Ill. Adm. Code § 101.500(e).
3. The Reply itself does not contain citation to any new facts in the administrative record or new legal authorities, but simply reargument.
4. The reargument merely attempts to obscure that there is not any actual supporting documentation lacking, certainly not the fictitious transaction concocted by the Agency.

WHEREFORE, Petitioner prays for an order denying the Illinois EPA's Motion for Leave to File Reply, and for such other and further relief as the Board deems meet and just.

PARKER'S GAS & MORE, INC.,
Petitioner

By its attorneys,
LAW OFFICE OF PATRICK D. SHAW

By: /s/ Patrick D. Shaw

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