## BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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ABITEC CORPORATION,	) APR 15 2005
Petitioner,	) STATE OF ILLINOIS ) Pollution Control Board )
v.	) PCB 03-95
	(Permit Appeal – Air)
ILLINOIS ENVIRONMENTAL	)
PROTECTION AGENCY,	
	)
Respondent.	)

# PETITION FOR A TIME CERTAIN EXTENSION OF THE STATUTORY DECISION DEADLINE ON ABITEC CORPORATION'S CLEAN AIR ACT PERMIT PROGRAM PERMIT

Petitioner, ABITEC CORPORATION ("ABITEC") submits its Petition for a Time Certain Extension of the Statutory Decision Deadline on ABITEC's Clean Air Act Permit Program ("CAAPP") permit pursuant to 35 Ill. Adm. Code 101.308. In support of this Memorandum, ABITEC states the following:

- 1. On December 31, 2002, ABITEC filed a petition to appeal certain conditions of the CAAPP permit issued to it by the Illinois Environmental Protection Agency ("IEPA") on November 26, 2002.
- 2. On April 14, 2005, the parties participated in a teleconference with Hearing Officer Sudman of the Illinois Pollution Control Board ("IPCB"). At the teleconference, ABITEC agreed to extend the statutory decision deadline for this matter.

WHEREFORE, ABITEC respectfully requests the IPCB to grant a time certain extension of the statutory decision deadline for 180 days.

Dated: April 15, 2005

Respectfully submitted,

ABITEC CORPORATION

Thor W. Ketzback

Neal H. Weinfield, Esq. Bryan E. Keyt, Esq. Thor W. Ketzback, Esq. Bell, Boyd & Lloyd LLC Three First National Plaza 70 West Madison Street Chicago, Illinois 60602 Telephone: 312.372.1121

Facsimile: 312.827.8000

#### BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ABITEC CORPORATION,	RECEIVED CLERK'S OFFICE
Petitioner,	APR 1 5 2005
v.	) PCB xx-xxx STATE OF ILLINOIS (Permit Appeal – Air) Pollution Control Board
ILLINOIS ENVIRONMENTAL	
PROTECTION AGENCY,	
Respondent.	)

### **NOTICE OF FILING**

TO: Division of Legal Counsel

Illinois Environmental Protection Agency

1021 North Grand Avenue East

P.O. Box 19276

Springfield, Illinois 62794-9276

PLEASE TAKE NOTICE that I have today filed with the Office of the Pollution Control Board the PETITION FOR A TIME CERTAIN EXTENSION OF THE STATUTORY DECISION DEADLINE ON ABITEC CORPORATION'S CLEAN AIR ACT PERMIT PROGRAM PERMIT, copies of which are herewith served upon you.

Neal H. Weinfield

Neal H. Weinfield, Esq.

Bryan E. Keyt, Esq.

Thor W. Ketzback, Esq.

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70 West Madison Street

Chicago, Illinois 60602

Telephone: 312.372.1121 Facsimile: 312.827.8000

# **CERTIFICATE OF SERVICE**

I, the undersigned, certify that I have served the attached PETITION FOR A TIME CERTAIN EXTENSION OF THE STATUTORY DECISION DEADLINE ON ABITEC CORPORATION'S CLEAN AIR ACT PERMIT PROGRAM PERMIT by depositing said document in the United States Mail in Chicago, Illinois on April 15, 2005, upon: the following persons:

Division of Legal Counsel Illinois Environmental Protection Agency 1021 North Grand Avenue East P.O. Box 19276 Springfield, Illinois 62794-9276

Neal H. Weinfield