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**BEFORE THE POLLUTION CONTROL BOARD
OF THE STATE OF ILLINOIS**

STATE OF ILLINOIS
Pollution Control Board

McLEAN COUNTY SCHOOL)
DISTRICT NO. 5,)
)
) Petitioner,)
)
) v.)
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
) Respondent.)

PCB No. 04-64
(Water Well Setback Exception)

NOTICE

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street
Suite 11-500
Chicago, IL 60601


Diana M. Jagiella
Howard & Howard Attorneys, P.C.
One Technology Plaza
Suite 600
211 Fulton Street
Peoria, IL 61603-1350

Steven D. Mahrt
Corporation Counsel
Town of Normal
100 East Phoenix Avenue
P.O. Box 589
Normal, IL 61761

PLEASE TAKE NOTICE that I have today filed with the office of the Clerk of the Pollution Control Board an APPEARANCE and MOTION FOR EXTENSION OF TIME, copies of which are herewith served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,
Respondent


John J. Kim
Assistant Counsel
Special Assistant Attorney General
Division of Legal Counsel
1021 North Grand Avenue, East
P.O. Box 19276
Springfield, Illinois 62794-9276
217/782-5544
217/782-9143 (TDD)
Dated: November 7, 2003

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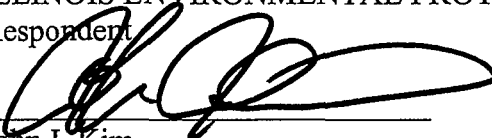
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APPEARANCE

The undersigned, as one of its attorneys, hereby enters his Appearance on behalf of the Respondent, the Illinois Environmental Protection Agency.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,
Respondent



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Special Assistant Attorney General
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McLEAN COUNTY SCHOOL)
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 Petitioner,)
 v.)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
 Respondent.)

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MOTION FOR EXTENSION OF TIME

NOW COMES the Respondent, the Illinois Environmental Protection Agency ("Illinois EPA"), by one of its attorneys, John J. Kim, Assistant Counsel and Special Assistant Attorney General, and, pursuant to 35 Ill. Adm. Code 101.500, 101.522, and 106.306, hereby requests that the Illinois Pollution Control Board ("Board") waive the normal filing requirements of 35 Ill. Adm. Code 106.306 and grant the Illinois EPA an extension of time within which to file a response to the Petition filed by the Petitioner. In support of this motion, the Illinois EPA states as follows:

1. The Petitioner, McLean County School District No. 5, filed its Petition on October 17, 2003. Pursuant to 35 Ill. Adm. Code 106.306, the Illinois EPA may file a response to the Petition within twenty-one (21) days after the filing of the Petition. Accordingly, the response, if filed, is due to be filed on or before November 7, 2003.

2. Following the filing of the Petition, the Petitioner and the Illinois EPA have been in discussions regarding the merits of the requested relief. The parties believe it may be possible that an understanding can be reached that would obviate the need for this matter to proceed further. However, a short amount of time is still needed to conclude those discussions.

3. In the interest of hopefully economizing the expenditure of the parties' and the Board's resources, the Illinois EPA seeks a one week extension of time by which to file its response, if it so chooses.

4. The Petitioner will not be prejudiced if this extension is granted since it is an active participant in the afore-mentioned discussions and is interested in reaching an amicable resolution if possible.

WHEREFORE, for the reasons stated above, the Illinois EPA hereby respectfully requests that the Board grant the Illinois EPA a one week extension of time to file the a response to the Petition in this matter.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,
Respondent



John J. Kim
Assistant Counsel
Special Assistant Attorney General
Division of Legal Counsel
1021 North Grand Avenue, East
P.O. Box 19276
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Dated: November 7, 2003

This filing submitted on recycled paper.

CERTIFICATE OF SERVICE


I, the undersigned attorney at law, hereby certify that on November 7, 2003, I served true and correct copies of an APPEARANCE and MOTION FOR EXTENSION OF TIME, by placing true and correct copies in properly sealed and addressed envelopes and by depositing said sealed envelopes in a U.S. mail drop box located within Springfield, Illinois, with sufficient First Class Mail postage affixed thereto, upon the following named persons:

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street
Suite 11-500
Chicago, IL 60601

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