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STATE OF ILLINOIS
Pollution Control Board

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

WEBEL FOODS, INC.,)	
)	
Petitioner,)	
)	
v.)	PCB No. 04- 82
ILLINOIS ENVIRONMENTAL)	(LUST Appeal - Ninety Day Extension)
PROTECTION AGENCY,)	
)	
Respondent.)	

NOTICE


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

F. Thomas DePaul
DAI Environmental, Inc.
Polo Park Business Center
27834 North Irma Lee Circle
Lake Forest, IL 60045-5130

PLEASE TAKE NOTICE that I have today filed with the office of the Clerk of the Pollution Control Board a REQUEST FOR NINETY DAY EXTENSION OF APPEAL PERIOD, 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 12, 2003

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STATE OF ILLINOIS
Pollution Control Board

BEFORE THE POLLUTION CONTROL BOARD
OF THE STATE OF ILLINOIS

WEBEL FOODS, INC.,)
Petitioner,)
v.) PCB No. 04- 82
ILLINOIS ENVIRONMENTAL) (LUST Appeal – Ninety Day Extension)
PROTECTION AGENCY,)
Respondent.)

REQUEST FOR NINETY DAY EXTENSION
OF APPEAL PERIOD

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 Section 40(a)(1) of the Illinois Environmental Protection Act (415 ILCS 5/40(a)(1)) and 35 Ill. Adm. Code 105.208, hereby requests that the Illinois Pollution Control Board (“Board”) grant an extension of the thirty-five (35) day period for petitioning for a hearing to February 9, 2004, or any other date not more than a total of one hundred twenty-five (125) days from the date of the Illinois EPA’s final decision. In support thereof, the Illinois EPA respectfully states as follows:

1. On October 7, 2003, the Illinois EPA issued a final decision to the Petitioner. (Exhibit A)
2. On October 31, 2003, the Petitioner made a written request to the Illinois EPA for an extension of time by which to file a petition for review, asking the Illinois EPA join in requesting that the Board extend the thirty-five day period for filing a petition to ninety days. The Petitioner did not represent when the final decision was received. (Exhibit B)
3. The additional time requested by the parties may eliminate the need for a hearing in this matter or, in the alternative, allow the parties to identify issues and limit the scope of any hearing that may be necessary to resolve this matter.

WHEREFORE, for the reasons stated above, the parties request that the Board, in the interest of administrative and judicial economy, grant this request for a ninety-day extension of the thirty-five day period for petitioning for a hearing.

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
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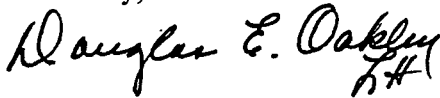
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For information regarding the filing of an extension, please contact:

Illinois Environmental Protection Agency
Division of Legal Counsel
1021 North Grand Avenue East
Springfield, Illinois 62794-9276
217/782-5544

If you have any questions, please contact Susan Brock or myself at 217/782-6762.

Sincerely,

Handwritten signature of Douglas E. Oakley in cursive, with a small 'E' and 'H' written below the name.

Douglas E. Oakley, Manager
LUST Claims Unit
Planning & Reporting Section
Bureau of Land

DEO:SB:jk\0310510.doc

Attachment

cc: DAI Environmental, Inc.

Attachment A
Further Review Request

Re: LPC #1490755017 -- Pike County
Pittsfield/Webel Feeds, Inc.
R. R. 3
LUST Incident Number 921798
LUST FISCAL FILE

Upon review of the additional supporting documentation submitted, the following costs are being reimbursed from this further review request:

1. Terra-Trace #22-0029: Per Diem \$150.00 plus \$15 handling charge.
2. Technical Deductions: \$952.73 of the previous deductions is eligible for reimbursement.

Total \$1,117.73

DEO:SB:jk\0310510.doc

October 31, 2003

VIA UPS DELIVERY

Mr. John J. Kim, Esq.
Division of Legal Counsel
Illinois Environmental Agency
1021 N. Grand Ave. East
Springfield, Illinois 62794-9276

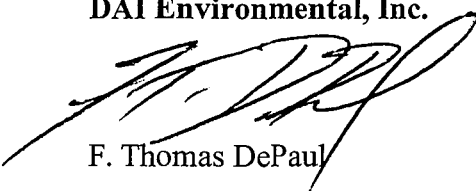
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NOV 03 2003
Environmental Protection
Agency

**Re: Reimbursement Decision Appeal
LPC #1490755017 – Pike County
Pittsfield/Webel Feeds, Inc.
Rural Route 3
Pittsfield, IL
LUST Incident #891673
LUST FISCAL FILE**

Dear Mr. Kim:

This letter is to serve as a written request for a time extension for filing a petition before the Illinois Pollution Control Board regarding the Agency's final decision for reimbursement. This request is being filed on behalf of Tate & Lyle North America. Copies of the previous decisions and correspondence are attached.

Sincerely,
DAI Environmental, Inc.


F. Thomas DePaul

Attachment

cc: Doug Oakley- LUST Claims Unit, IEPA Bureau of Land
Don Moster- Tate & Lyle North America


CERTIFICATE OF SERVICE

I, the undersigned attorney at law, hereby certify that on November 12, 2003, I served true and correct copies of a REQUEST FOR NINETY DAY EXTENSION OF APPEAL PERIOD, 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

F. Thomas DePaul
DAI Environmental, Inc.
Polo Park Business Center
27834 North Irma Lee Circle
Lake Forest, IL 60045-5130

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,
Respondent



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