

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS, )  
)  
Complainant, )  
)  
v. )  
)  
DECATUR FOUNDRY, INC., an Illinois )  
corporation, )  
)  
Respondent. )

RECEIVED  
CLERK'S OFFICE

APR 02 2004

PCB 04-139  
STATE OF ILLINOIS  
Pollution Control Board  
(Enforcement - Land)

NOTICE OF FILING

To: Delbert D. Haschemeyer, Assistant Attorney General, Environmental Bureau, 500 S. Second St., Springfield, IL 62706  
Carol Sudman, Hearing Officer, Illinois Pollution Control Board, 1021 N. Grand Ave. East, P. O. Box 19274, Springfield, IL 62794-9274

Please take notice that I have today mailed for filing with the Clerk of the Pollution Control Board of the State of Illinois, on behalf of Respondent, Decatur Foundry, Inc., documents as follows:

1. Entry of Appearance on behalf of Respondent, Decatur Foundry, Inc.
2. Motion of Respondent, Decatur Foundry, Inc., for Extension of Time to Respond to Complaint.

A copy of each of the foregoing documents is herewith served upon you.

DECATUR FOUNDRY, INC.,  
Respondent,

BY: WINTERS, FEATHERSTUN, GAUMER,  
POSTLEWAIT, STOCKS, & FLYNN,  
Its Attorneys,

By Sam Postlewait  
R. Samuel Postlewait

R. Samuel Postlewait  
WINTERS, FEATHERSTUN, GAUMER,  
POSTLEWAIT, STOCKS & FLYNN  
225 N. Water St., Suite 200  
P. O. Box 1760  
Decatur, Illinois 62525  
Telephone: (217) 429-4453  
Fax: (217) 425-8892  
vjs

CERTIFICATE OF SERVICE

I certify that on the 31<sup>st</sup> day of March, 2004, at 5:00 o'clock p. m., I deposited a copy of the foregoing in a U. S. Post Office Box at 225 North Water Street, Decatur, Illinois, enclosed in an envelope with proper postage prepaid, addressed to the following in the manner set forth:

Delbert D. Haschemeyer  
Assistant Attorney General  
Environmental Bureau  
500 S. Second St.  
Springfield, IL 62706

Carol Sudman  
Hearing Officer  
Illinois Pollution Control Board  
1021 N. Grand Ave. East  
P. O. Box 19274  
Springfield, IL 62794-9274

Original and 10 copies by  
First Class Mail with postage  
thereon fully prepaid of the  
same foregoing instrument to:

Dorothy Gunn, Clerk  
Illinois Pollution Control Board  
James R. Thompson Center, Suite 11-500  
100 W. Randolph  
Chicago, IL 60601-3218



---

R. Samuel Postlewait  
WINTERS, FEATHERSTUN, GAUMER,  
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  )     (Enforcement - Land)  
DECATUR FOUNDRY, INC., an Illinois     )  
corporation,                               )  
  )  
          Respondent.                    )

ENTRY OF APPEARANCE

On behalf of Respondent, Decatur Foundry, Inc., an Illinois corporation, R. Samuel Postlewait, of the law firm of Winters, Featherstun, Gaumer, Postlewait, Stocks & Flynn, hereby enters his appearance as attorney of record.

Respectfully Submitted,

DECATUR FOUNDRY, INC.,  
Respondent,

BY: WINTERS, FEATHERSTUN, GAUMER,  
POSTLEWAIT, STOCKS, & FLYNN,  
Its Attorneys,

By Sam Postlewait  
R. Samuel Postlewait

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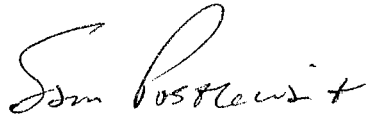
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MOTION OF RESPONDENT, DECATUR FOUNDRY, INC.,  
FOR EXTENSION OF TIME TO RESPOND TO COMPLAINT

Now comes Decatur Foundry, Inc., Respondent, by its attorneys, Winters, Featherstun, Gaumer, Postlewait, Stocks & Flynn, and pursuant to 35 Ill. Adm. Code 101.522, moves for an extension of time to respond to the Complaint, for good cause, and states as follows:

1. The Complaint in this cause was filed February 6, 2004.
2. Respondent was advised in a telephone status conference March 9, 2004 that it must be represented before the Board by a licensed attorney. The undersigned, as counsel for Respondent, has to date been able to meet with Respondent, make a partial preliminary review of the background documents and related law, and has requested additional background information from Respondent concerning matters alleged in the Complaint. In addition, counsel has had preliminary conferences with Assistant Attorney General, Delbert D. Haschemeyer, regarding current status and matters occurring prior to the involvement of the undersigned, as counsel for Respondent.
3. The Complaint makes reference to numerous statutory sections and regulations which must be considered in conjunction with background facts being accumulated by counsel for Respondent before an appropriate response to the Complaint can be determined. Counsel for Respondent is scheduled to be in Buffalo, New York on April 1 and 2, 2004 for deposition and is in need of an

extension of time to respond to the Complaint under the circumstances.

4. As authorized by Assistant Attorney General, Delbert D. Haschemeyer, counsel for Respondent represents that Delbert D. Haschemeyer has no objection to the grant of an extension of time to respond to the Complaint.

5. Pursuant to 35 Ill. Adm. Code 103.204(d), in the absence of an extension of time requested herein, the Answer would customarily be filed within 60 days after receipt of the Complaint, or in this case, on or before April 5, 2004 (assuming one day mailing service and receipt by Respondent February 5, 2004). Counsel for Respondent requests an extension of time to respond to May 7, 2004, which would still allow a responsive pleading to be filed prior to the next status telephone conference currently scheduled for May 11, 2004.

6. Counsel for Respondent represents that this Motion for Extension of Time to Respond to Complaint is filed for good cause and not for any improper purpose or unnecessary delay in these proceedings.

WHEREFORE, Respondent, Decatur Foundry, Inc., requests an extension of time to respond to the Complaint to May 7, 2004.

DECATUR FOUNDRY, INC.,  
Respondent,

BY: WINTERS, FEATHERSTUN, GAUMER,  
POSTLEWAIT, STOCKS, & FLYNN,  
Its Attorneys,

By   
R. Samuel Postlewait

R. Samuel Postlewait  
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