

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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NOV 23 2004

PEOPLE OF THE STATE OF ILLINOIS,)
by LISA MADIGAN, Attorney General)

STATE OF ILLINOIS
Pollution Control Board

Complainant,)

PCB 04-162

v.)

(Enforcement)

ASBESTOS CONTROL AND)
ENVIRONMENTAL SERVICES CORP.,)
an Illinois corporation,)

Respondent.)

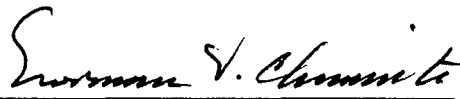
NOTICE OF FILING

To: Bridget M. Carlson, Esq.
Assistant Attorney General
Environmental Bureau North
188 W. Randolph Street, 20th Floor
Chicago, Illinois 60601

Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center
Suite 11-500
100 W. Randolph Street
Chicago, IL 60601

PLEASE TAKE NOTICE that on November 19, 2004 I mailed Respondent's Motion for Extension of Time to Respond to Complainant's Motion to Strike or Dismiss Respondent's Defenses by certified mail to the Office of the Clerk of the Illinois Pollution Control Board for filing with the Board, a true and correct copy of which is attached hereto and herewith served upon you.

ASBESTOS CONTROL AND ENVIRONMENTAL
SERVICES CORP., Respondent

By: 
Norman V. Chimenti

Norman V. Chimenti, Esq.
Martin, Craig, Chester & Sonnenschein
2215 York Road
Suite 550
Oak Brook, Illinois 60523
(630) 472-3408

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STATE OF ILLINOIS
Pollution Control Board

PCB 04-162

(Enforcement)

MOTION OF RESPONDENT FOR
EXTENSION OF TIME TO RESPOND TO
COMPLAINANT'S MOTION TO STRIKE OR DISMISS
RESPONDENT'S DEFENSES

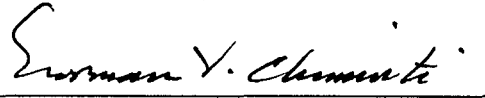
Respondent, ASBESTOS CONTROL AND ENVIRONMENTAL SERVICES CORP., by its attorney, Norman V. Chimenti, pursuant to Section 101.522 of the Board's General Rules, moves for an Order of the Hearing Officer Extending the time for filing the response of Respondent to Motion of Complainant, PEOPLE OF STATE OF ILLINOIS, ex. rel. LISA MADIGAN, to Strike or Dismiss Respondent's Affirmative Defenses until further Order of the Hearing Officer. In support of its motion, Respondent states the following:

1. This Motion is timely filed by Respondent.
2. Complainant and Respondent are engaged in meaningful settlement discussions with the reasonable prospect of reaching a dispositive settlement of the matters in dispute in this proceeding, so as to avoid the time and expense of a hearing on the merits of this cause.

3. The granting of this Motion will not result in undue delay or materially prejudice Complainant.

Respectfully submitted,

ASBESTOS CONTROL AND
ENVIRONMENTAL SERVICES CORP.,
Respondent

By: 
Norman V. Chimenti
Attorney for Respondent

Norman V. Chimenti, Esq.
Martin, Craig, Chester & Sonnenschein
2215 York Road
Suite 550
Oak Brook, IL 60523
630-472-3408
(Fax) 630-472-0048

CERTIFICATE OF SERVICE

It is hereby certified that on November 19, 2004, a true and correct copy of the foregoing Motion of Respondent was sent by First Class Mail to each of the persons shown below and listed in the Notice of Filing, by depositing same in the U.S. Mail depository located at 2215 York Road, Oak Brook, Illinois in an envelope with sufficient postage prepaid.

Bridget M. Carlson, Esq.
Assistant Attorney General
Environmental Bureau North
188 W. Randolph Street, 20th Floor
Chicago, Illinois 60601
Attorney for Complainant

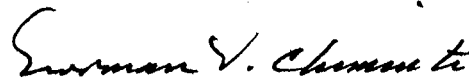
Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
100 W. Randolph Street
Chicago, Illinois 60601



Norman V. Chimenti

It is further certified that on November 19, 2004 the originals and nine (9) copies of the foregoing Motion of Respondent and the Notice of Filing were sent by certified mail in the aforesaid manner for filing with the Illinois Pollution Control Board to the following person:

Dorothy M. Gunn
Clerk of the Illinois Pollution Control Board
100 W. Randolph Street, Suite 11-500
Chicago, Illinois 60601



Norman V. Chimenti