

BEFORE THE POLLUTION CONTROL BOARD
OF THE STATE OF ILLINOIS

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APR 18 2005

STATE OF ILLINOIS
Pollution Control Board

FREEDOM OIL COMPANY,)	
)	PCB No. 03-54
Petitioner,)	PCB No. 03-56
)	PCB No. 03-105
v.)	PCB No. 03-179
)	PCB No. 04-02
ILLINOIS ENVIRONMENTAL)	(LUST Fund/UST Appeal)
PROTECTION AGENCY,)	(Consolidated)
)	
Respondent.)	

NOTICE

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

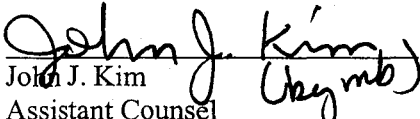
Diana M. Jagiella
Howard & Howard
One Technology Plaza
Suite 600
211 Fulton Street
Peoria, IL 61602-1350

Carol Webb, Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue, East
P.O. Box 19274
Springfield, IL 62794-9274

PLEASE TAKE NOTICE that I have today filed with the office of the Clerk of the Pollution Control Board a 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: April 14, 2005

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MOTION FOR EXTENSION OF TIME

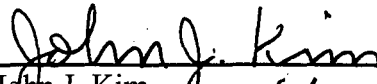
NOW COMES the Respondent, the Illinois Environmental Protection Agency ("Illinois EPA"), by one of its attorneys, John J. Kim, Assistant Counsel and Special Assistant Attorney General, and hereby requests that the Illinois Pollution Control Board ("Board") grant the Illinois EPA an extension of time to file a response to the Petitioner's Motion for Summary Judgment ("Petitioner's motion"). In support of this motion, the Illinois EPA states as follows:

1. On March 31, 2005, the Illinois EPA received service of the Petitioner's motion. Pursuant to Section 101.500(d) of the Board's procedural rules (35 Ill. Adm. Code 101.500(d)), the Illinois EPA's response to the Petitioner's motion is due on or before April 14, 2005.
2. Due to the undersigned attorney's handling over the past several days of several other matters (leading to settlements and, in one case, allowing the parties and the Board to avoid a hearing scheduled for April 15, 2005), along with a family illness, the Illinois EPA will not be able to prepare and file its response by that date.
3. The Illinois EPA is thus seeking a short extension of time by which to file a response to the Petitioner's motion, specifically, until April 19, 2005. This short delay is less than one week and should not prejudice the Petitioner or Board.

WHEREFORE, for the reasons stated above, the Illinois EPA hereby respectfully requests that the Board grant the Illinois EPA an extension of time until April 19, 2005, to file a response to the Petitioner's motion.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,
Respondent


John J. Kim (by mb)
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: April 14, 2005

This filing submitted on recycled paper.

CERTIFICATE OF SERVICE

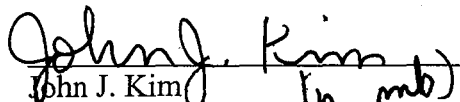
I, the undersigned attorney at law, hereby certify that on April 14, 2005, I served true and correct copies of a MOTION FOR EXTENSION OF TIME, by placing true and correct copies in properly sealed and addressed envelopes and by depositing said sealed envelopes in a U.S. mail drop box located within Springfield, Illinois, with sufficient First Class 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

Diana M. Jagiella
Howard & Howard
One Technology Plaza
Suite 600
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Respondent


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