

ELECTRONIC FILING, RECEIVED, CLERK'S OFFICE, MAY 5, 2005

BEFORE THE POLLUTION CONTROL BOARD
OF THE STATE OF ILLINOIS

IN THE MATTER OF:)
)
PROPOSED AMENDMENTS TO: REGULATION) R 04-22
OF PETROLEUM LEAKING UNDERGROUND) (Rulemaking - Land)
STORAGE TANKS (35 ILL.ADM.CODE 732))

IN THE MATTER OF:) R 04-23
) (Rulemaking - Land)
PROPOSED AMENDMENTS TO: REGULATION)
OF PETROLEUM LEAKING UNDERGROUND)
STORAGE TANKS (35 ILL.ADM.CODE 734))

N O T I C E

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

Marie Tipsord, Hearing Officer
Pollution Control Board
James R. Thompson Center
100 W. Randolph, Ste 11-500
Chicago, Illinois 60601

See Attached Service List

PLEASE TAKE NOTICE that I have today filed with the Office of
the Clerk of the Pollution Control Board the Illinois Environmental Protection
Agency's Response To Pipes Motion For Extension of Time on behalf of the
Illinois Environmental Protection Agency, a copy of which is herewith served
upon you.

ENVIRONMENTAL PROTECTION AGENCY
OF THE STATE OF ILLINOIS

By: Kyle Rominger
Kyle Rominger
Assistant Counsel

DATE: May 05, 2005
Agency File #:
Illinois Environmental
Protection Agency
1021 North Grand Ave. East
P.O. Box 19276
Springfield, IL 62794-9276

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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
)
PROPOSED AMENDMENTS TO:) R04-22
REGULATION OF PETROLEUM) (Rulemaking -- Land)
LEAKING UNDERGROUND STORAGE)
TANKS (35 ILL. ADM. CODE 732))

IN THE MATTER OF:)
)
PROPOSED AMENDMENTS TO:) R04-23
REGULATION OF PETROLEUM) (Rulemaking -- Land)
LEAKING UNDERGROUND STORAGE)
TANKS (35 ILL. ADM. CODE 734))

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY'S
RESPONSE TO PIPE'S MOTION FOR EXTENSION OF TIME

NOW COMES the Illinois Environmental Protection Agency ("Illinois EPA"), by and through one of its attorneys, Kyle Rominger, and submits the following in response to PIPE's Motion for Extension of Time:

In the interest of helping to expedite these proceedings and narrow the issues to be discussed at the upcoming hearing, the Illinois EPA has no objection to extending the deadline for PIPE's pre-filed questions until May 11, 2005, provided that the deadline for the Illinois EPA's pre-filed answers is likewise extended until May 25, 2004, and that the extension of these deadlines is not used in any way to extend or delay the upcoming hearing or anything else in this rulemaking.

In order to provide the parties with the additional information they need as soon as possible, and to continue the progress of this rulemaking in an expeditious manner, the Illinois EPA continues to desire that the additional hearing be held as soon as possible, preferably in the first half of June. When I discussed the deadline extensions with Ms.

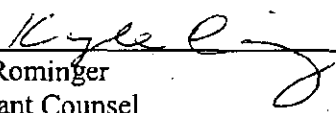
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Manning, she indicated that PIPE would be amenable to a hearing during the first full week of June, specifically the week of the 7th, 8th and 9th, even with the requested extensions. The Illinois EPA will file its response to all of the other pre-filed questions by the original deadline of May 18th, so all parties will have sufficient time to review the Illinois EPA's responses prior to any hearing.

Finally, it appears there may be a misunderstanding about the dates the Illinois EPA is available for the additional hearing. The Illinois EPA *is available* during the latter part of June and for several days in July. The dates of unavailability listed in the Illinois Environmental Protection Agency's Dates of Unavailability filed on April 28th are accurate. The Illinois EPA is available on all of the dates not listed in that document.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY



Kyle Rominger
Assistant Counsel

DATED: 4.5.05
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276
(217) 782-5544

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STATE OF ILLINOIS)
)
COUNTY OF SANGAMON)

PROOF OF SERVICE

I, the undersigned, on oath state that I have served the attached Illinois Environmental Protection Agency's Response To Pipe's Motion For Extension Of Time on behalf of the Illinois Environmental Protection Agency upon the person to whom it is directed, by placing a copy in an envelope addressed to:

Dorothy M. Gunn, Clerk
Pollution Control Board
James R. Thompson Center
100 West Randolph St., Ste 11-500
Chicago, Illinois 60601
(Electronically Filed)

Marie Tipsord, Hearing Officer
Pollution Control Board
James R. Thompson Center
100 West Randolph St., Ste 11-500
Chicago, Illinois 60601

See Attached Service List

and mailing it from Springfield, Illinois on 5-5-05

Cynthia Sims

SUBSCRIBED AND SWORN TO BEFORE ME

this 5th day of May, 2005
Brenda Boehner
Notary Public



THIS FILING IS SUBMITTED ON RECYCLED PAPER

ELECTRONIC FILING, RECEIVED, CLERK'S OFFICE, MAY 5, 2005

Party Name	Role	City & State	Phone/Fax
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Interested Party

Tom Herlacher, P.E., Principal Engineer

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Marie Tipsord, Hearing Officer

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Total number of participants: 52