



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

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**MAY 06 2005**

STATE OF ILLINOIS  
Pollution Control Board

ILLINOIS AYERS OIL COMPANY,	)	
Petitioner,	)	
v.	)	PCB No. 03-214
ILLINOIS ENVIRONMENTAL	)	(LUST Appeal)
PROTECTION AGENCY,	)	
Respondent.	)	

**MOTION FOR EXTENSION OF TIME TO FILE RESPONSE TO  
PETITIONER'S PETITION FOR SUPPLEMENTAL ATTORNEYS' FEES**

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 35 Ill. Adm. Code 101.522, hereby requests that the Illinois Pollution Control Board ("Board") grant the Illinois EPA an extension of time within which to file its Response to the Petitioner's Petition for Supplemental Attorneys' Fees ("petition for fees"). In support of this motion, the Illinois EPA states as follows:

1. On April 20, 2005, the Illinois EPA received service of the petition for fees. Pursuant to the Board's procedural rules, a response to this petition (in this case being considered a motion) is due on or before May 4, 2005.

2. The Illinois EPA is currently investigating the allegations raised in the petition for fees. Given the limited administrative resources on the part of affected Illinois EPA staff, completion of this information gathering, along with finalization of a response, will take more time than that otherwise allowed.


3. The Illinois EPA hereby requests a short extension of time to complete researching and drafting a response to the petition for fees of no more than seven (7) additional days, or until May 11, 2005.

4. This short delay will not prejudice the Petitioner's case, but will allow for sufficient time to present the Illinois EPA's information and response.

WHEREFORE, for the reasons stated above, the Illinois EPA hereby respectfully requests that the Board grant the Illinois EPA an extension of time to file the response to the petition for fees to May 11, 2005.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,  
Respondent



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217/782-5544, 217/782-9143 (TDD)  
Dated: May 4, 2005

This filing submitted on recycled paper.

**CERTIFICATE OF SERVICE**


I, the undersigned attorney at law, hereby certify that on May 4, 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 Mail postage affixed thereto, upon the following named persons:

Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board  
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Respondent

  
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