

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

D & L LANDFILL, INC.,)	
)	
Petitioner,)	
)	
v.)	PCB 2006-185
)	(CAAPP Permit Appeal)
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,)	
)	
Respondent.)	

NOTICE

To: Dorothy Gunn, Clerk
Illinois Pollution Control Board
100 West Randolph Street
Suite 11-500
Chicago, Illinois 60601

Patrick Shaw
Mohan, Alewelt, Prillaman & Adami
1 North Old Capitol Plaza, Suite 325
Springfield, Illinois 62701-1323

Carol Sudman
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
P.O. Box 19274
Springfield, Illinois 62794-9276

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board an **APPEARANCE** and a **MOTION FOR EXTENSION OF TIME TO FILE ADMINISTRATIVE RECORD** of the Respondent, Illinois Environmental Protection Agency, a copy of which is herewith served upon the assigned Hearing Office and the attorney for the Petitioner.

Respectfully submitted by,

_____/s/_____
Sally Carter
Assistant Counsel

Dated: July 14, 2006
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,)	
)	
Respondent.)	

APPEARANCE

The undersigned, as one of its attorneys, hereby enters her APPEARANCE on behalf of Respondent, Illinois Environmental Protection Agency.

Respectfully submitted by,

_____/s/_____
 Sally Carter
 Assistant Counsel

Dated: July 14, 2006
 Illinois Environmental Protection Agency
 1021 North Grand Avenue East
 P.O. Box 19276
 Springfield, Illinois 62794-9276

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)	
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**MOTION FOR EXTENSION OF TIME TO FILE
ADMINISTRATIVE RECORD**

NOW COMES the Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY (“Illinois EPA” or “Respondent”), by and through its attorneys, and pursuant to 35 Ill. Adm. Code 105.116, files this Motion for Extension of Time to File Administrative Record in this cause. In support of this Motion, the Respondent states as follows:

1. On May 12, 2006, the Illinois EPA granted a construction permit, Construction Permit No.05110071, to the Petitioner, D & L LANDFILL, INC. (hereinafter “ D & L Landfill” or “Petitioner”) for the construction of a new landfill gas extraction well and associated passive flare at 825 West Willard Street, Greenville, Bond County, Illinois.
2. On or about June 13, 2006, Petitioner filed a petition with the Pollution Control Board (“Board”) seeking an appeal of the Illinois EPA’s permitting decision. Formal notice of the appeal was served on the Illinois EPA on June 15, 2006.
3. In accordance with the Board’s procedural requirements set forth in 35 Ill.

Adm. Code 105.116, the Illinois EPA's administrative record of the permit application is to be filed with the Board within 30 days after filing of the petition for appeal. In the present case, the Illinois EPA's filing of the administrative record is due on Friday, July 14, 2006.

4. Due to the press of other business matters, the task of preparing the administrative record of permit application cannot be completed in advance of the filing date.

5. At this juncture, the undersigned attorney believes that an additional 17 days will be adequate to allow for the necessary preparation and copying of the administrative record in this cause. An extension of the filing period by this additional time will run the Illinois EPA's filing date to Monday, July 31, 2006.

6. Respondent does not believe Petitioner will suffer any hardship or prejudice by the granting of this Motion.

WHEREFORE, the Illinois EPA requests that the Hearing Officer grant this Motion extending the time for the Illinois EPA to file this administrative record in this cause to Monday, July 31, 2006, or, in the alternative, order such other relief as is deemed just and appropriate.

Respectfully submitted by,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

_____/s/_____
Sally Carter
Assistant Counsel

Dated: July 14, 2006
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of July, 2006, I did send, by electronic mail with prior approval, the following instrument entitled **APPEARANCE** and a **MOTION FOR EXTENSION OF TIME TO FILE ADMINISTRATIVE RECORD** to:

Dorothy Gunn, Clerk
Illinois Pollution Control Board
100 West Randolph Street
Suite 11-500
Chicago, Illinois 60601

and a true and correct copy of the same foregoing instrument, by First Class Mail with postage thereon fully paid and deposited into the possession of the United States Postal Service, to:

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

Patrick Shaw
Mohan, Alewelt, Prillaman & Adami
1 North Old Capitol Plaza, Suite 325
Springfield, Illinois 62701-1323

_____/s/_____
Sally Carter
Assistant Counsel