

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

IN THE MATTER OF: )  
)  
PROPOSED EXTENSION OF ADJUSTED STANDARD )  
APPLICABLE TO ILLINOIS-AMERICAN WATER )  
COMPANY'S ALTON PUBLIC WATER SUPPLY )  
FACILITY DISCHARGE TO THE MISSISSIPPI RIVER )

AS 2007-2  
(Adjusted Standard)

**RECEIVED**  
CLERK'S OFFICE

MAY 15 2007

STATE OF ILLINOIS  
Pollution Control Board

**NOTICE OF FILING**

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

Bradley S. Hiles  
Alison M. Nelson  
Blackwell, Sanders, Peper, & Martin, LLP  
720 Olive Street, 24<sup>th</sup> Floor  
St. Louis, Missouri 63101

William Richardson, Chief Legal Counsel  
Illinois Department of Natural Resources  
One Natural Resource Way  
Springfield, IL 62702

Matthew J. Dunn  
Division Chief, Environmental Enforcement  
Illinois Attorney General  
100 W. Randolph Street, 12<sup>th</sup> Floor  
Chicago, IL 60601

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 the attached **MOTION FOR EXTENSION OF TIME TO FILE RECOMMENDATION** 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: Thomas M. Andryk  
Thomas Andryk  
Assistant Counsel  
Division of Legal Counsel

DATED: May 14, 2007  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
Post Office Box 19276  
Springfield, Illinois 62794-9276  
(217) 782-5544

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

**RECEIVED**  
CLERK'S OFFICE

MAY 15 2007

IN THE MATTER OF: )  
)  
PROPOSED EXTENSION OF ADJUSTED STANDARD )  
APPLICABLE TO ILLINOIS-AMERICAN WATER )  
COMPANY'S ALTON PUBLIC WATER SUPPLY )  
FACILITY DISCHARGE TO THE MISSISSIPPI RIVER )

AS 2007-2  
(Adjusted Standard)

STATE OF ILLINOIS  
Pollution Control Board

**MOTION FOR EXTENSION OF TIME TO FILE RECOMMENDATION**

NOW COMES the Illinois Environmental Protection Agency ("Illinois EPA") by one of its attorneys, Thomas M. Andryk, and moves the Hearing Officer, pursuant to 35 Ill. Adm. Code 101.502 and 104.416(a), to grant it an extension of time to file its response to the Petition of Illinois American Water Company ("Illinois American" or "Petitioner") for an Adjusted Standard, due on May 17, 2007, until June 16, 2007, an additional (30) days. In support of its request, the Illinois EPA states as follows:

1. On April 2, 2007, Illinois American filed an Amended Petition for an Adjusted Standard from 35 Ill. Adm. Code 304.124, and 304.106 with the Illinois Pollution Control Board ("Board") for relief from the total suspended solids ("TSS"), total iron, and offensive discharges effluent limitations and requirements applicable to its public water supply treatment plant located in the City of Alton, Madison County, Illinois.
2. On April 26, 2007, Illinois American filed a Certificate of Publication with the Board pursuant to 415 ILCS 5/28.1(d)(2004) and 35 Ill. Adm. Code 104.408 and 104.410 certifying that notice of its Adjusted Standard Petition was published in *The Telegraph*, a newspaper circulated in the City of Alton, beginning April 16, 2007 and continuing through April 19, 2007.
3. The Illinois EPA is required to respond to a Petition for Adjusted Standard within

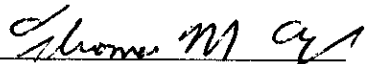
forty-five (45) days of filing pursuant to 35 Ill. Adm. Code 104.416.

4. The time required by Section 104.416 has been inadequate for the Illinois EPA to complete its internal technical review of Illinois American's Petition and finalize its Recommendation.
5. In a telephone conversation on May 11, 2007, counsel for the Petitioner indicated it would have no objection to the Illinois EPA's request for an additional thirty (30) days to respond.
6. Petitioner will suffer no prejudice should the Illinois EPA be granted an extension of time to respond to its Adjusted Standard petition.
7. An affidavit of Thomas M. Andryk, one of the attorneys for Illinois EPA, is attached hereto and by reference incorporated herein in support of Illinois EPA's Motion for Extension of Time to File Recommendation.

WHEREFORE, the Illinois EPA respectfully requests that the Hearing Officer grant it an extension of time in which to respond to Illinois American Water Company's Petition for Adjusted Standard for an additional thirty (30) days until June 16, 2007.

Respectfully Submitted

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY

BY:   
Thomas M. Andryk  
Assistant Counsel  
Division of Legal Counsel

DATED: May 14, 2007  
1021 N. Grand Ave. East  
P.O. Box 19276  
Springfield, Illinois 62794-9276  
(217) 782-5544

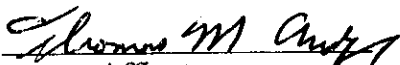
STATE OF ILLINOIS )  
 ) SS.  
COUNTY OF SANGAMON )

**AFFIDAVIT**

I, THOMAS M. ANDRYK, being first duly sworn upon oath, depose and state as follows:

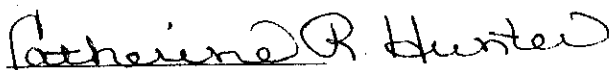
1. I am employed by the Illinois Environmental Protection Agency as an Assistant Counsel to the Bureau of Water.
2. As part of my duties I represent the Illinois EPA in the case *In the Matter of: Proposed Extension of Adjusted Standard Applicable to Illinois-American Water Company's Alton Public Water Supply Facility Discharge to the Mississippi River*, PCB Case No. AS - 2007 - 2.
3. I have prepared the Agency's Motion for Extension of Time to File Recommendation, and the contents thereof are true and correct to the best of my knowledge.
4. I contacted counsel for the Petitioner, Bradley S. Hiles, on May 11, 2007 regarding the Illinois EPA's request for an extension of time to file its Recommendation in this matter. Mr. Hiles indicated that Illinois American does not object to an allowing Illinois EPA an additional thirty (30) days time to respond to Illinois American Water Company's Adjusted Standard Petition and file its Recommendation in this matter.

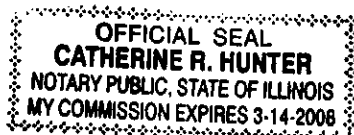
FURTHER AFFIANT SAYETH NOT

  
Affiant

SUBSCRIBED AND SWORN TO BEFORE ME

this 14<sup>th</sup> day of May, 2007.

  
Notary Public



STATE OF ILLINOIS  
COUNTY OF SANGAMON

)  
)  
) SS  
)  
)

**PROOF OF SERVICE**

I, the undersigned, on oath state that I have served the attached **MOTION OF EXTENSION OF TIME TO FILE RECOMMENDATION** and **NOTICE OF FILING** upon the person to whom it is directed, by placing a copy in an envelope, with proper first class postage pre-paid, addressed to:

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

Bradley S. Hiles  
Alison M. Nelson  
Blackwell, Sanders, Peper, & Martin, LLP  
720 Olive Street, 24<sup>th</sup> Floor  
St. Louis, Missouri 63101

William Richardson, Chief Legal Counsel  
Illinois Department of Natural Resources  
One Natural Resource Way  
Springfield, IL 62702

Matthew J. Dunn  
Division Chief, Environmental Enforcement  
Illinois Attorney General  
100 W. Randolph Street, 12<sup>th</sup> Floor  
Chicago, IL 60601

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

and mailing it from Springfield, Illinois on May 14, 2007 with sufficient postage affixed as indicated above.

Sara Wilmore

**SUBSCRIBED AND SWORN TO BEFORE ME**  
this 14<sup>th</sup> day of May, 2007

Catherine R. Hunter  
Notary Public

