

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS, )  
by LISA MADIGAN, Attorney General )  
of the State of Illinois, )

Complainant, )

v. )

SKOKIE VALLEY ASPHALT CO., INC., )  
an Illinois Corporation, EDWIN L. FREDERICK, )  
JR., Individually and as Owner and President of )  
Skokie Valley Asphalt Co., Inc., and )  
RICHARD J. FREDERICK, Individually )  
and as Owner and Vice President of Skokie )  
Valley Asphalt Co., Inc., )

Respondents. )

PCB 96-98  
(Enforcement - Water)

NOTICE OF FILING

TO: Mr. David S. O'Neill, Esq.  
Mr. Michael B. Jawgiel, Esq.  
5487 North Milwaukee Avenue  
Chicago, Illinois 60630-1249

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

PLEASE TAKE NOTICE that today I caused to be filed electronically **Complainant's Motion for an Extension of Time** with the Office of the Clerk of the Illinois Pollution Control Board, a true and correct copy of which is attached hereto and herewith served upon you.

PEOPLE OF THE STATE OF ILLINOIS,  
LISA MADIGAN, Attorney General  
of the State of Illinois

BY: Paula B. Wheeler  
PAULA BECKER WHEELER  
Assistant Attorney General  
Environmental Bureau  
69 West Washington, Suite 1800  
Chicago, Illinois 60602  
Tel: 312.814.1511

Dated: December 18, 2007

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS, )  
 by LISA MADIGAN, Attorney General )  
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 Complainant, )  
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 an Illinois Corporation, EDWIN L. FREDERICK, )  
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 Skokie Valley Asphalt Co., Inc., and )  
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 and as Owner and Vice President of Skokie )  
 Valley Asphalt Co., Inc., )  
 )  
 Respondents. )

PCB 96-98  
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COMPLAINANT'S MOTION FOR AN EXTENSION OF TIME

Complainant, PEOPLE OF THE STATE OF ILLINOIS ("People"), by LISA MADIGAN, Attorney General of the State of Illinois, hereby moves the Board, pursuant to 35 Ill. Adm. Code 101.500(d), for an Extension of Time of fourteen days until December 31, 2007, to file its Response to the Respondents' Motion for Reconsideration and Motion to Stay Date of Final Order. In support of this Motion, the People state and allege as follows:

1. On November 1, 2007, the Illinois Pollution Control Board ("Board") issued its Opinion and Final Order in the case above.
2. On December 5, 2007, the Respondents filed their Motion for Reconsideration of the Board's Final Order, which was served on the Complainant on December 6, 2007. The Respondents Motion is forty pages long, and concentrates heavily on the issues presented at the first hearing by the Board held on October 30 and 31, 2003.

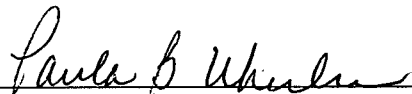
3. Complainant's attorney is newly assigned to the case and did not participate in the Board Hearing in 2003 or the attorneys' fees hearing that was held on December 12, 2006. To respond to the Respondents' Motion appropriately entails investigation into matters long past and discussions with attorneys no longer working at the Attorney General's Office. Some necessary people have been unavailable because of the holidays or other reasons.

4. Complainant's attorney, Paula Wheeler, has been ill and absent from work two of the last nine working days.

5. Respondents will not be prejudiced by the granting of additional time to respond.

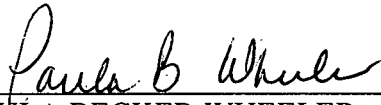
Wherefore, pursuant to the above reasons, Complainant respectfully requests that the Board grant its Motion for an extension of time to respond to Respondents Motion for Reconsideration and Motion to Stay Date of Final Order.

LISA MADIGAN, Attorney General  
of the State of Illinois

BY:   
PAULA BECKER WHEELER  
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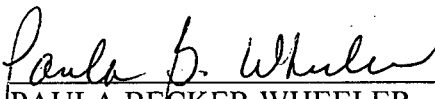
**CERTIFICATE OF SERVICE**

It is hereby certified that on December 18, 2007, true and correct copies of the **Notice of Filing and Complainant's Motion for an Extension of Time**, were sent by overnight UPS Mail, postage prepaid, to the persons listed on the Notice of Filing.

BY:   
PAULA BECKER WHEELER  
Assistant Attorney General

It is hereby certified that the foregoing were electronically filed with the Clerk of the Board on December 18, 2007:

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

BY:   
PAULA BECKER WHEELER  
Assistant Attorney General