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APR 30 2010

STATE OF ILLINOIS
Pollution Control Board

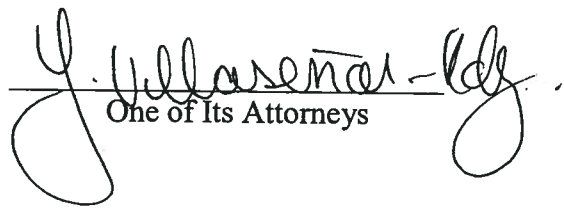
BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS)	
)	
Complainant,)	
)	PCB 04-137
v.)	(Enforcement)
)	
CII Carbon, L.L.C.,)	
)	
Respondent.)	

NOTICE OF FILING

To: See Attached Service List

PLEASE TAKE NOTICE that on **Friday, April 30, 2010**, I have filed with the Office of the Clerk of the Pollution Control Board, **CII's Motion Requesting An Extension To Answer Complainant's Second Amended Complaint**, copies of which are attached hereto and herewith served upon you.

By: 
One of Its Attorneys

Roy M. Harsch, Esq.
Yesenia Villasenor-Rodriguez, Esq.
Drinker Biddle & Reath LLP
191 North Wacker Drive - Suite 3700
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THIS FILING IS SUBMITTED ON RECYCLED PAPER

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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STATE OF ILLINOIS
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PEOPLE OF THE STATE OF ILLINOIS)	
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Complainant,)	
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v.)	PCB 04-137
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CII Carbon, L.L.C.,)	
)	
Respondent.)	

**CII'S MOTION REQUESTING AN EXTENSION
TO ANSWER COMPLAINANT'S SECOND AMENDED COMPLAINT**

NOW COMES Respondent, CII Carbon, L.L.C., (hereinafter, "CII"), by and through its attorneys, and respectfully requests that the Hearing Officer grant this motion requesting an extension of time to submit its answer to Complainant's Second Amended Complaint. In support thereof, CII states as follows:

1. Complainant filed its Motion for Leave to File Second Amended Complaint and Second Amended Complaint on March 19, 2010.
2. Pursuant to the hearing officer's order dated March 22, 2010, CII's answer to the Second Amended Complaint is due on April 30, 2010.
3. Roy M. Harsch, lead attorney for CII, has been out of the office due to medical reasons. This extended period of time was longer than anticipated when the hearing officer entered its March 19, 2010 order.
4. CII requires additional time to submit its answer and, respectfully, requests an extension until May 17, 2010.

5. CII has confirmed the above with Assistant Attorney Stephen J. Janasie, attorney for Complainant; and, attorney for Complainant indicated that he has no objections to this request.

6. The parties will be not prejudiced by extending the due date until May 17, 2010.

WHEREFORE, for all the foregoing reasons, CII respectfully requests that the Hearing Officer grant its Motion Requesting an Extension to Answer Complainant's Second Amended Complaint until May 17, 2010.

Respectfully submitted,

CII Carbon, L.L.C.

By: Y. Villasenor - Rg
One of its Attorneys

Dated: April 30, 2010

Roy M. Harsch, Esq.
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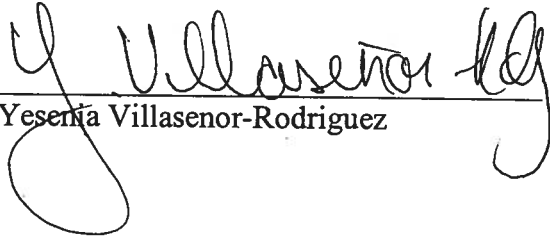
CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing **CII's Motion Requesting An Extension To Answer Complainant's Second Amended Complaint** was filed via hand delivery with the Clerk of the Illinois Pollution Control Board and served upon the parties below by U.S. First Class Mail and Electronic Mail on Friday, April 30, 2010

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SERVICE LIST PCB 04-137

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