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SEP 23 2011

STATE OF ILLINOIS  
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

KRAMER TREE SPECIALIST, INC., )  
)  
Petitioner )  
v. )  
)  
ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
)  
Respondent. )

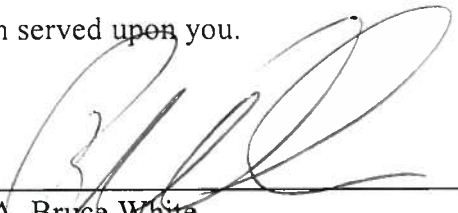
PCB No. 12-51

ORIGINAL

To: Clerk  
Illinois Pollution Control Board  
State of Illinois Center  
Suite 11-500  
100 West Randolph Street  
Chicago, Illinois 60601

Lisa Bonnett  
Interim Director  
Illinois Environmental Protection Agency  
2200 Churchill Road  
P. O. Box 19276  
Springfield, Illinois 61794-9276

PLEASE TAKE NOTICE that I have filed with the Office of the Clerk of the Illinois Protection Control Board Petitioner's NOTICE OF REQUEST FOR EXTENSION OF APPEAL PERIOD, a copy of which is herewith served upon you.

By   
A. Bruce White  
Barbara Magel  
Barnes & Thornburg, Ltd.  
One North Wacker Drive  
Suite 4400  
Chicago, IL 60606  
312-214-4584

Date: 9/23/11

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STATE OF ILLINOIS  
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF: )  
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 KRAMER TREE SPECIALIST, INC., )  
 )  
 Petitioner )  
 v. )  
 )  
 ILLINOIS ENVIRONMENTAL )  
 PROTECTION AGENCY, )  
 )  
 Respondent. )

PCB No. 12-51  
 Compost Facility  
 03T-0430905909

ORIGINAL

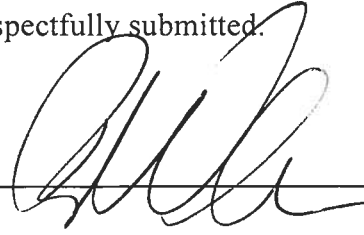
NOTICE OF REQUEST FOR EXTENSION OF APPEAL PERIOD

NOW COMES Petitioner KRAMER TREE SPECIALISTS, INC. (“Kramer” or “Petitioner”) and by its attorneys hereby requests an additional ninety (90) days up to and including December 22, 2011 in which to file its appeal and request for hearing on the Respondent Illinois Environmental Protection Agency’s denial of Kramer’s application for a permit to develop and construct a compost facility in West Chicago, Illinois (Log No. 2011-205). Such denial was received by Petitioner on or about August 23, 2011 and therefore, in accordance with 415 ILCS 5/40(a)(1), this Request must be viewed as timely.

Petitioner requests the additional time in which to file due to the fact that Petitioner has only just retained counsel and is currently reviewing the possible responses to the permit denial, including the option of filing for an adjusted standard. Therefore, Petitioner respectfully requests the additional ninety (90) days up to and including December 22, 2011, to allow those evaluations to continue so that informed decisions as to how best to proceed can be made.

Respectfully submitted.

By



A. Bruce White  
Barbara Magel  
Barnes & Thornburg, Ltd.  
One North Wacker Drive  
Suite 4400  
Chicago, IL 60606  
312-214-4584

Date: 9/23/11



# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276 • (217) 782-2829  
James R. Thompson Center, 100 West Randolph, Suite 11-300, Chicago, IL 60601 • (312) 814-6026

PAT QUINN, GOVERNOR

217/524-3300

August 18, 2011

Certified Mail  
7009 3410 0002 3750 4047

Kramer Tree Specialists, Inc.  
300 Charles Court  
West Chicago, Illinois 60185

Re: 0430905909 – DuPage County  
Kramer Tree Specialists, Inc.  
Log No. 2011-205  
03T Compost  
Permit Denial

Dear Mr. Kramer:

This will acknowledge receipt of your Application for Permit to develop and operate a landscape waste compost facility, dated May 18, 2011 and received by the Illinois EPA on May 24, 2011.

Your permit application to develop and operate a landscape waste compost facility is denied.

You have failed to provide proof that granting this permit would not result in violations of the Illinois Environmental Protection Act (Act). Section 39(a) of the Act [415 ILCS 5/39(a)] requires the Illinois EPA to provide the applicant with specific reasons for the denial of permit. The following reason(s) are given:

1. The size of the storage piles and the operating plan associated with the leaf mulch does not provide proper conditions for composting, pursuant to 35 IAC 830.205(a)(1)(A) and 35 IAC 830.206.
2. The compost generated at the proposed facility will not meet the standards for general use compost, pursuant to 35 IAC 830.503.
3. The facility cannot perform testing of the leaf mulch in accordance with 35 IAC 830.504
4. Samples from the leaf mulch cannot properly be taken in accordance with 35 IAC 830.507.

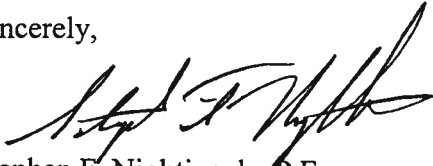
Within 35 days after the date of mailing of the Illinois EPA's final decision, the applicant may petition for a hearing before the Illinois Pollution Control Board to contest the decision of the Illinois EPA, however, the 35-day period for petitioning for a hearing may be extended for a

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period of time not to exceed 90 days by written notice provided to the Board from the applicant and the Illinois EPA within the 35-day initial appeal period.

Should you wish to reapply or have any questions regarding this application, please contact Derek Rompot at 217/524-3262.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen F. Nightingale". The signature is fluid and cursive, with a large initial "S" and "F".

Stephen F. Nightingale, P.E.  
Manager, Permit Section  
Bureau of Land

<sup>TJD</sup>  
SFN:DCR:bjh\111353s.doc

cc: John Lardner, P.E., JPL Environmental Engineering

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CLERK'S OFFICE

SEP 23 2011

STATE OF ILLINOIS  
Pollution Control Board

**CERTIFICATE OF SERVICE**

I certify that the foregoing NOTICE OF REQUEST FOR EXTENSION OF APPEAL PERIOD was served upon all parties of record via hand delivery or United States First Class mail to the addresses listed below on this 23<sup>rd</sup> day of September, 2011.

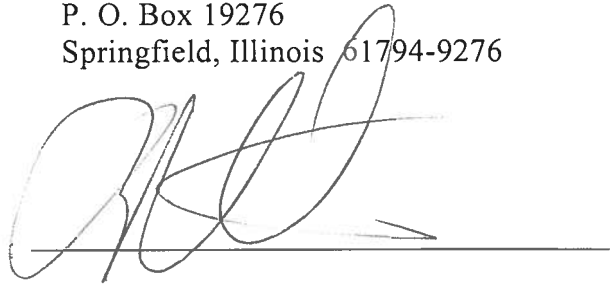
**Via Hand Delivery**

Clerk  
Illinois Pollution Control Board  
State of Illinois Center  
Suite 11-500  
100 West Randolph Street  
Chicago, Illinois 60601

**Via U.S. Mail**

Lisa Bonnett  
Interim Director  
Illinois Environmental Protection Agency  
2200 Churchill Road  
P. O. Box 19276  
Springfield, Illinois 61794-9276

ORIGINAL



A handwritten signature in black ink, appearing to be 'L. Bonnett', is written over a horizontal line.