

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

CHICAGO COKE CO., INC.,)
an Illinois corporation,)

Petitioner,)

v.)

THE ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)

Respondent,)

NATURAL RESOURCES DEFENSE)
COUNCIL, INC., and SIERRA CLUB,)

Intervenors.)

PCB 10-75
(Permit Appeal)

NOTICE OF FILING

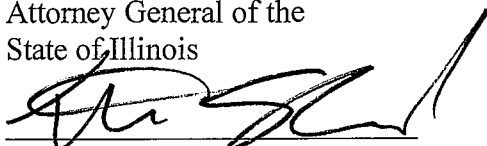
TO: See Attached Service List

PLEASE TAKE NOTICE that on the 19th day of June, 2013, I filed with the Office of the Clerk of the Illinois Pollution Control Board the attached Unopposed Motion for Extension of Time, copies of which are hereby served upon you.

Respectfully submitted,

LISA MADIGAN,
Attorney General of the
State of Illinois

By:


THOMAS H. SHEPHERD
Assistant Attorney General
Environmental Bureau
69 West Washington Street, Suite 1800
Chicago, Illinois 60602
(312) 814-5361

THIS FILING IS SUBMITTED ON RECYCLED PAPER
SERVICE LIST

John Therriault
Assistant Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph Street, Suite 11-500
Chicago, IL 60601
therriaj@ipcb.state.il.us

SWANSON, MARTIN & BELL
Michael J. Maher
Elizabeth S. Harvey
One IBM Plaza
330 N. Wabash, Suite 3300
Chicago, IL 60611
eharvey@smbtrials.com

Mr. Brad Halloran, Esq.
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph Street, Suite 11-500
Chicago, IL 60601
hallorab@ipcb.state.il.us

NATURAL RESOURCES DEFENSE COUNCIL
Ann Alexander
Meleah Geertsma
2 North Riverside Plaza
Suite 2250
Chicago, IL 60606
aalexander@nrdc.org
mgeertsma@nrdc.org

CERTIFICATE OF SERVICE

I, THOMAS H. SHEPHERD, do certify that I filed electronically with the Office of the Clerk of the Illinois Pollution Control Board a Notice of Filing and an Unopposed Motion for Extension of Time and caused them to be served this 19th day of June, 2013, upon the persons listed on the foregoing Notice of Filing by emailing true and correct copies of same upon the persons and e-mail addresses listed on the foregoing Notice of Filing at of before the hour of 5:00 p.m.



THOMAS H. SHEPHERD

Intervenors

PCB 10-75
(Permit Appeal--Air)

UNOPPOSED MOTION FOR EXTENSION OF TIME

NOW COMES Respondent, THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY (“Illinois EPA”), by and through its attorney, Lisa Madigan, Attorney General of the State of Illinois, and, pursuant to 35 Ill. Adm. Code 101.500(d), hereby respectfully moves the Illinois Pollution Control Board (“Board”) for an extension of time to file the Illinois EPA’s response to Petitioner’s Motion to Modify Board Order to Award Costs and Attorney’s Fees. The Illinois EPA seeks an extension from June 24, 2013 to July 12, 2013.

1. On May 2, 2013, the Board granted Chicago Coke’s motion for summary judgment (“Order”).
2. On June 10, 2013, Petitioner, CHICAGO COKE CO., INC (“Chicago Coke”), filed a motion to modify the Board’s Order to award Chicago Coke its litigation fees and costs.
3. Due to a recent chemical plant explosion and subsequent enforcement action brought under Section 43(a) of the Environmental Protection Act, 415 ILCS 5/43(a) (2012), as

well as to the undersigned's scheduled obligations in other pending matters, the Illinois EPA seeks an eighteen (18) day extension of time in which to file its amended responses. The Illinois EPA seeks an extension to and including July 12, 2013.

4. The Illinois EPA makes this motion in good faith, and not for purposes of delay.

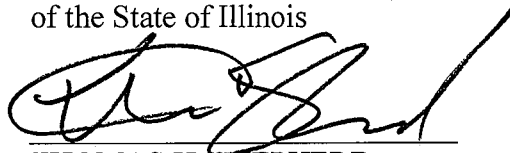
5. Counsel for Chicago Coke has stated it has no objection to this motion for extension.

WHEREFORE, the Illinois EPA moves for an extension to and including July 12, 2013 for the filing of the Illinois EPA's response to Chicago Coke's motion to Modify Board Order to Award Costs and Attorney's Fees, and for such other relief as the Board deems appropriate.

Respectfully submitted,

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

BY:



THOMAS H. SHEPHERD
Assistant Attorney General
Environmental Bureau
69 W. Washington Street, 18th Floor
Chicago, Illinois 60602
(312) 814-5361

Dated: June 19, 2013