

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

CHATHAM BP, LLC,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 2015-173
	)	(UST Appeal)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

**NOTICE**

John T. Therriault  
Clerk of the Board  
Illinois Pollution Control Board  
100 West Randolph Street, Suite 11-500  
Chicago, Illinois 60601-3218

William D. Ingersoll  
Brown, Hay & Stephens, LLP  
205 S. Fifth Street, Suite 700  
P.O. Box 2459  
Springfield, IL 62705-2459

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 caused to be filed a MOTION FOR EXTENSION OF TIME TO FILE ADMINISTRATIVE RECORD with the Illinois Pollution Control Board, a copy of which is served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY,

Respondent,

Dated: May 4, 2015

Scott B. Sievers  
Attorney Registration No. 6275924  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276  
(217) 782-5544

BY: **s/Scott B. Sievers**  
Scott B. Sievers  
Special Assistant Attorney General

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

CHATHAM BP, LLC,	)	
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Petitioner,	)	
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v.	)	PCB 2015-173
	)	(UST Appeal)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

**MOTION FOR EXTENSION OF TIME TO FILE ADMINISTRATIVE RECORD**

NOW COMES the Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, by and through its attorney, Special Assistant Attorney General Scott B. Sievers, and, pursuant to 35 Ill. Adm. Code 105.116(a), moves for a three (3) day extension of time within which to file the administrative record in this action. In support, the Respondent states the following:

1. On April 2, 2015, this honorable Board ordered the Respondent to “file the entire record of its determination by May 4, 2015, which is the first business day following 30 days after the Board received petitioner’s petition.”

2. Section 105.116(a) of this Board’s rules provides, in pertinent part, that “[i]f the State agency wishes to seek additional time to file the record, it must file a request for extension before the date on which the record is due to be filed.” 35 Ill. Adm. Code 105.116(a).

3. Due to the press of other agency business, the undersigned has not yet finished reviewing and compiling the records provided to him less than a week ago by the Respondent’s Bureau of Land Leaking Underground Storage Tank Section for consideration for inclusion in the administrative record in this matter. After those records have been compiled, the pages of the

record will be Bates-stamped, a Certificate of Record on Appeal drafted and submitted to staff for consideration and execution, and then the entire record will be prepared in both a paper and in a CD-based, text-searchable PDF form. *See* 35 Ill. Adm. Code 101.302(h)(2)(A) and 105.116(b).

4. To provide the undersigned with the additional time necessary to review and compile the aforementioned records for inclusion in the administrative record and to then prepare the record for filing, the Respondent seeks a three (3) day extension of the time to file the administrative record in this action.

WHEREFORE, the Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, prays that this honorable Board or the honorable Hearing Officer ALLOW the Respondent's MOTION FOR EXTENSION OF TIME TO FILE ADMINISTRATIVE RECORD and extend the time for the Respondent to file the administrative record in this action by three (3) days.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY,

Respondent,

Dated: May 4, 2015

Scott B. Sievers  
Attorney Registration No. 6275924  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276  
(217) 782-5544

BY: s/Scott B. Sievers  
Scott B. Sievers  
Special Assistant Attorney General

**Chatham BP, LLC v. Illinois Environmental Protection Agency**  
**Pollution Control Board No. 2015-173**

**CERTIFICATE OF SERVICE**

Scott B. Sievers, Special Assistant Attorney General, herein certifies that he has served a copy of the foregoing MOTION FOR EXTENSION OF TIME TO FILE ADMINISTRATIVE RECORD upon:

John T. Therriault  
Clerk of the Board  
Illinois Pollution Control Board  
100 West Randolph Street, Suite 11-500  
Chicago, Illinois 60601-3218

William D. Ingersoll  
Brown, Hay & Stephens, LLP  
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Carol Webb  
Hearing Officer  
Illinois Pollution Control Board  
1021 North Grand Avenue East  
P.O. Box 19274  
Springfield, IL 62794-9274

by mailing true copies thereof to the addresses referred to above in envelopes duly addressed bearing proper first class postage and deposited in the United States mail at Springfield, Illinois, on May 4, 2015.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY,

Dated: May 4, 2015

Respondent,

Scott B. Sievers  
Attorney Registration No. 6275924  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276  
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BY: **s/Scott B. Sievers**  
Scott B. Sievers  
Special Assistant Attorney General