

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

MOTO, INC. (Swansea),)	
)	
Petitioner,)	
)	
v.)	PCB 17-044
)	(UST Appeal)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

NOTICE OF FILING

To: Hearing Officer Carol Webb	Patrick D. Shaw
Illinois Pollution Control Board	Law Office of Patrick D. Shaw
1021 North Grand Avenue East	80 Bellerive Road
P.O. Box 19274	Springfield, IL 62704
Springfield, Illinois 62794-9274	pdshaw1law@gmail.com
Carol.Webb@Illinois.gov	

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board the Motion for Extension of Time to File Administrative Record of the Illinois Environmental Protection Agency, a copy of which is herewith served upon you.

Respectfully submitted,

Dated: March 6, 2017

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

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

Respondent,

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

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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), for Respondent's Motion for Extension of Time to File Administrative Record states the following:

1. On February 16, 2017, this honorable Board ordered the Respondent to "file the entire record of its determination by March 6, 2017, which is the first business day after the 30th day after the date on which the Board received Moto's petition."
2. The process of compiling the administrative record requires use of Adobe Acrobat Professional, to which only a select few Illinois EPA support employees in the Division of Legal Counsel have access. The undersigned is not one of them. Once a preliminary draft of the administrative record is compiled, staff in the Leaking Underground Storage Unit review the proposed record to determine whether it is complete prior to signing the Certificate of Record on Appeal; if there is a discrepancy, then the record is sent back to the Division of Legal Counsel to remedy the discrepancy and resubmit it to the LUST Unit for review and certification.

3. The undersigned has been provided with what he understands to be the complete administrative record, but that record has not completed its course through Adobe Acrobat Professional formatting and LUST Unit review and certification so as to allow it to be filed with the Board at this time.

4. To allow for the additional time necessary for the administrative record to be properly formatted, reviewed, and certified, 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 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,

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

Dated: March 6, 2017

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

CERTIFICATE OF SERVICE

I, the undersigned, on affirmation state the following:

That I have served the attached **MOTION FOR EXTENSION OF TIME TO FILE ADMINISTRATIVE RECORD** by e-mail upon Patrick D. Shaw at the e-mail address of pdshaw1law@gmail.com and upon Hearing Officer Carol Webb at the e-mail address of Carol.Webb@Illinois.gov.

That my e-mail address is Scott.Sievers@Illinois.gov.

That the number of pages in the e-mail transmission is four (4).

That the e-mail transmission took place before 5:00 p.m. on the date of March 6, 2017.

/s/Scott B. Sievers

March 6, 2017