

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

IL PIT STOP, LLC,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 17-077
	)	(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: July 5, 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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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), for Respondent’s Motion for Extension of Time to File Administrative Record states the following:

1. On June 8, 2017, this honorable Board ordered the Respondent to “file the entire record of its determination by July 5, 2017.”

2. The process of compiling the administrative record requires staff within Illinois EPA’s Leaking Underground Storage Tank section to search for the requisite documentation, organize it chronologically, then provide it to the Division of Legal Counsel for formatting for filing. This includes the preparation of the Certificate of Record on Appeal. Before this certificate is filed, a draft is sent to the LUST section project manager to review alongside the compiled administrative record. If it then meets with his approval, formatting of the administrative record is finalized, the project manager signs the certificate, and the certificate is filed with the Board along with the administrative record.

3. The project manager assigned to the site at issue in this action is on vacation from June 15, 2017 through July 5, 2017 and thus unable to assist in the preparation of the administrative record so as to allow it to be finalized and filed in compliance with the Board's Order.

4. To allow for the additional time necessary for the project manager to return from vacation and assist in the preparation of the administrative record, the Respondent seeks a twenty-one (21) day extension of the time to file the administrative record in this action.

5. Counsel for the Respondent has conferred with counsel for the Petitioner, and counsel for the Petitioner has no objection to this motion.

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 twenty-one (21) days.

Dated: July 5, 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

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY,

Respondent,

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

**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 10:00 a.m. on the date of July 5, 2017.

/s/Scott B. Sievers

July 5, 2017