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APR 14 2006

STATE OF ILLINOIS  
Pollution Control Board

**BEFORE THE POLLUTION CONTROL BOARD  
OF THE STATE OF ILLINOIS**

CATERPILLAR LOGISTICS, INC,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB No. 06-148
	)	(Permit Appeal)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

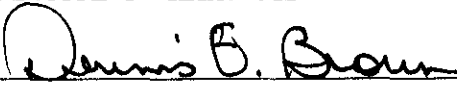
**NOTICE OF FILING**

TO: Dorothy Gunn, Clerk  
Illinois Pollution Control Board  
James Thompson Center  
100 West Randolph Street, Suite 11-500  
Chicago, Illinois 60601

Patricia F. Sharkey  
Mayer, Brown, Rowe & Maw LLP  
71 South Wacker Drive  
Chicago, Illinois 60606-4637

PLEASE TAKE NOTICE that on April 13, 2006, Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY filed with the Office of the Clerk of the Pollution Control Board a MOTION TO REQUEST EXTENSION OF TIME and ENTRY OF APPEARANCE, copies of which are herewith served upon you.

ENVIRONMENTAL PROTECTION AGENCY  
OF THE STATE OF ILLINOIS

BY:   
Dennis E. Brown  
Assistant Counsel  
Division of Legal Counsel



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CATERPILLAR LOGISTICS, INC.	)	
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Petitioner,	)	
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v.	)	PCB No. PCB 06-148
	)	
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

MOTION FOR EXTENSION OF TIME

NOW COMES the Respondent, the ILLINOIS ENVIRONMENTAL PROTECTION AGENCY ("Illinois EPA"), and pursuant to 35 Ill. Adm. Code 105.116, moves the Illinois Pollution Control Board ("Board") to extend the time for filing of the Administrative Record of Permit Decision required pursuant to 35 Ill. Adm. Code 105.116. In support of this motion, the Illinois EPA states as follows:

1. On March 14, 2006, Caterpillar Logistics, Inc. ("Petitioner") filed with the Board a petition for review ("Petition") of the Illinois EPA's permit decision resulting in the issuance of operating permit number 73090071, on February 7, 2006. A copy of the Petition was received by the Illinois EPA, on March 17, 2006.
2. On April 6, 2006, the Board issued an Order in relation to the petition stating, in part, that the Illinois EPA must file the record of its determination on or before April 13, 2006.

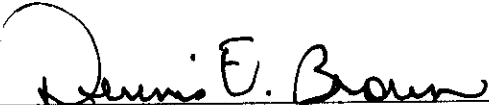
3. Prior to the date of the Board's April 6, 2006 Order, representatives of the Illinois EPA and Caterpillar Logistics, Inc. conferred regarding the March 14, 2005 Petition, and discussed settlement of issues set forth within the petition in resolution of the permit appeal. Based upon discussions mentioned above, the Illinois EPA anticipates settlement of the all issues relative to objectionable permit conditions contained within operating permit number 73090071 is likely without requiring the issuance of an Order and Opinion of the Board based upon the facts and evidence during a hearing before the Board in this matter.

4. Based upon the foregoing, filing of the administrative record, at this juncture, will seemingly not be required to further a review of all issues set forth within the Petition and resolution of the permit appeal.

For the foregoing reasons, the Illinois EPA respectfully requests that the Board grant an extension of time to file the Administrative Record of Permit Decision for an additional 60 days to facilitate resolution of the pending permit appeal through settlement discussions between the parties.

Respectfully submitted,

Illinois Environmental Protection Agency

By: 

Dennis E. Brown  
One of Its Attorneys

April 13, 2006

STATE OF ILLINOIS            )  
  )  
COUNTY OF SANGAMON        )

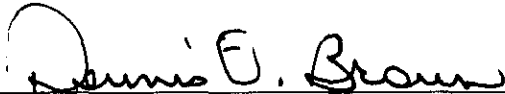
**PROOF OF SERVICE**

I, the undersigned, certify that I have served the attached MOTION FOR EXTENSION OF TIME and ENTRY OF APPEARANCE upon the person(s) to whom it is directed, by placing the necessary copies in a first class mail package addressed to:

Dorothy Gunn, Clerk  
Illinois Pollution Control Board  
100 West Randolph Street, Suite 11-500  
Chicago, Illinois 60601

Patricia F. Sharkey  
Mayer, Brown, Rowe & Maw LLP  
71 South Wacker Drive  
Chicago, Illinois 60606-4637

and mailing it from Springfield, Illinois on April 13, 2006, with sufficient postage affixed.

  
\_\_\_\_\_  
Dennis E. Brown

Date: April 13, 2006

Illinois Environmental Protection Agency  
1021 North Grand Avenue, P.O. Box 19276  
Springfield, Illinois 62794-9276  
217/782-5544, TDD 217/782-9143