

ILLINOIS POLLUTION CONTROL BOARD
May 3, 2007

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Petitioner,)	
)	
v.)	AC 06-50
)	(IEPA No. 98-06-AC)
MARLA LEWIS GATES, MARK GATES and)	(Administrative Citation)
MARK KINGSLEY LEWIS,)	
)	
Respondents.)	

ORDER OF THE BOARD (by T.E. Johnson):

On April 17, 2007, the Board received a motion from Mark Gates (Gates) seeking to extend the time to file an amended petition for review. On March 15, 2007, the Board had extended the time to file the amended petition to April 13, 2007. *See IEPA v. Gates*, AC 06-50 (Mar. 15, 2007). According to the motion, an oversight in a change of address led to Gates not receiving the March 15, 2007 order until April 2, 2007. The original petition for review filed by Gates was found deficient because it did not state a basis for the appeal, and therefore failed to meet the content requirements found at Section 108.206 of the Board regulations. *See IEPA v. Gates*, AC 06-50, slip op. at 2 (Aug. 4, 2006); 35 Ill. Adm. Code 108.206.

The Illinois Environmental Protection Agency (Agency) has not responded to the motion. Therefore, pursuant to 35 Ill. Adm. Code 101.500(d), any objection the Agency may have to the granting of the motion is deemed waived.

The Board grants Gates' request for additional time to amend his original petition. Gates is given until June 4, 2007, which is the first business day following the 30th day after this order, to amend his original petition as directed in this and previous orders.

IT IS SO ORDERED.

I, John T. Therriault, Assistant Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on May 3, 2007, by a vote of 4-0.



John T. Therriault, Assistant Clerk
Illinois Pollution Control Board