

FEB 11 2010

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD **STATE OF ILLINOIS  
Pollution Control Board**

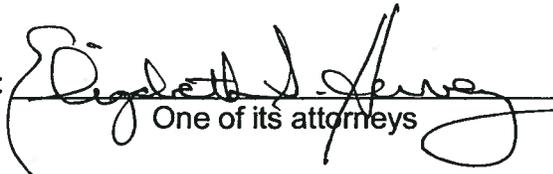
IN THE MATTER OF:	)	
	)	
PETITION OF WESTWOOD LANDS	)	AS 09-03
INC. for an ADJUSTED STANDARD from	)	(Adjusted Standard – Land)
portions of 35 Ill.Adm.Code 807.104 and	)	
35 Ill.Adm.Code 810.103, or	)	
in the alternative, A FINDING OF	)	
INAPPLICABILITY.	)	

**NOTICE OF FILING**

To: (See attached Service List.)

PLEASE TAKE NOTICE that on this 11<sup>th</sup> day of February 2010, the following was filed with the Illinois Pollution Control Board: **Petitioner Westwood Lands, Inc.'s Motion for Extension of Time**, which is attached and herewith served upon you.

WESTWOOD LANDS INC.

By:   
 One of its attorneys

Elizabeth S. Harvey  
 John P. Arranz  
 Swanson, Martin & Bell, LLP  
 330 North Wabash Avenue  
 Suite 3300  
 Chicago, IL 60611  
 312.321.9100  
 312.321.0990 (facsimile)

**CERTIFICATE OF SERVICE**

I, the undersigned non-attorney, state that I served a copy of the above-described document to counsel of record via U.S. Mail at 330 North Wabash Avenue, Chicago, IL 60611, at or before 5:00 p.m. on February 11, 2010.

  
 Jeanette M. Podlin

[x] Under penalties as provided by law pursuant to 735 ILCS 5/1-109, I certify that the statements set forth herein are true and correct.

4376-001

**SERVICE LIST**

**Westwood Lands, Inc. v. Illinois Environmental Protection Agency**

**AS 09-03**

**(Adjusted Standard – Land)**

William Ingersoll  
Division of Legal Counsel  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276

Carol Webb  
Hearing Officer  
Illinois Pollution Control Board  
1021 North Grand Avenue East  
P.O. Box 19274  
Springfield, Illinois 62794-9274

RECEIVED  
CLERK'S OFFICE

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Pollution Control Board

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INAPPLICABILITY.	)	

**MOTION FOR EXTENSION OF TIME**

Petitioner WESTWOOD LANDS, INC. ("Westwood"), by its attorneys Swanson, Martin & Bell, LLP, hereby moves the Board or the hearing officer for an extension of time in which to file a motion for reconsideration:

1. Westwood filed a petition for adjusted standard from specific provisions of Parts 807 and 810 or, in the alternative, a finding of inapplicability.
2. On January 7, 2010, the Board denied Westwood's petition. In that opinion, the Board noted that one of Westwood's options for proceeding is to file a motion for reconsideration.
3. Section 101.520 of the Board's procedural rules provides that a petitioner may file a motion for reconsideration within 35 days after receipt of the Board's order.
4. The Board's opinion and order was served on Westwood's counsel, via certified mail, on January 13, 2010. Thus, Westwood received the opinion and order on January 13, 2010, beginning the 35-day period for the filing of a motion for reconsideration. (See Section 101.300(c).) A motion for reconsideration is thus due on February 17, 2010.

5. Westwood is working diligently to provide additional information to the Board, as part of a motion for reconsideration. Despite Westwood's efforts, it cannot obtain all of the necessary information by February 17, 2010.

6. Thus, Westwood seeks an extension of time, to and including April 2, 2010, to file a motion for reconsideration. Westwood does not make this motion for purposes of delay, but to allow sufficient time to obtain and provide information to the Board.

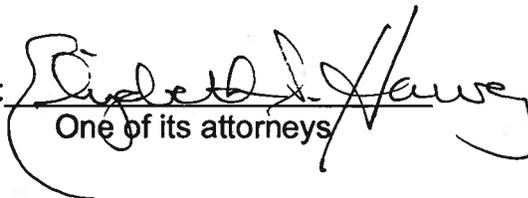
7. There are no deadlines in this case which will be impacted by this request for an extension of time.

8. Westwood will be prejudiced if it does not obtain an extension, because it will be limited in the information available to it.

WHEREFORE, petitioner Westwood respectfully asks this Board or the hearing officer to grant an extension of time, to and including April 2, 2010, in which to file a motion for reconsideration, and for such other relief as the Board or hearing officer deem appropriate.

Respectfully submitted,

WESTWOOD LANDS, INC.

By:   
One of its attorneys

Dated: February 11, 2010

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