

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

CHICAGO COKE CO., INC., an Illinois corporation,)	
)	
)	
Petitioner,)	
)	PCB 10-75
v.)	(Permit Appeal--Air)
)	
THE ILLINOIS ENVIROMENTAL PROTECTION AGENCY,)	
)	
)	
Respondent,)	
)	
)	
NATURAL RESOURCES DEFENSE COUNCIL, and SIERRA CLUB,)	
)	
)	
Intervenors.)	

NOTICE OF FILING

To: Counsel of Record
(See attached Service List.)

PLEASE TAKE NOTICE that on this 18th day of January 2013, the following were filed electronically with the Illinois Pollution Control Board: **Chicago Coke Co., Inc.'s Motion for Extension of Time and Limited Waiver of Decision Deadline**, which are attached and herewith served upon you.

CHICAGO COKE CO., INC.

By: s/Elizabeth S. Harvey
One of its attorneys

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Elizabeth Harvey
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CERTIFICATE OF SERVICE

I, the undersigned, state that a copy of the above-described documents were served electronically upon all counsel of record on January 18, 2013.

s/Elizabeth S. Harvey

7012-002

SERVICE LIST

Chicago Coke Co., Inc. v. Illinois Environmental Protection Agency

PCB 10-75

(Permit Appeal -- Air)

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NATURAL RESOURCES DEFENSE)	
COUNCIL, and SIERRA CLUB,)	
)	
Intervenors.)	

MOTION FOR EXTENSION OF TIME

Petitioner CHICAGO COKE CO., INC. ("Chicago Coke"), by its attorneys Swanson, Martin & Bell, LLP, moves the hearing officer for an extension of time to file Chicago Coke's amended responses to motions for summary judgment. Chicago Coke seeks an extension from January 21, 2013 to January 31, 2013.

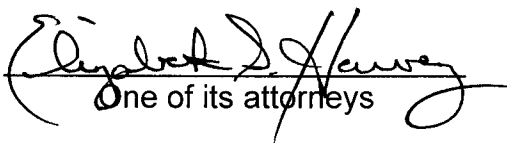
1. On December 20, 2012, the Board denied Chicago Coke's motions to strike portions of the motions for summary judgment filed by respondent the ILLINOIS ENVIRONMENTAL PROTECTION AGENCY ("IEPA") and by intervenor NATURAL RESOURCES DEFENSE COUNCIL and SIERRA CLUB (collectively, "NRDC"). The Board allowed Chicago Coke to January 21, 2013 to file amended responses to the motions for summary judgment. The Board noted that the hearing officer could allow additional time if Chicago Coke provided a

corresponding waiver of the decision deadline. (December 20, 2012 order at p. 10.)

2. Due to the press of business, as well as to the illness of counsel, Chicago Coke seeks a ten day extension of time in which to file its amended responses. Chicago Coke seeks an extension to and including January 31, 2013.
3. Chicago Coke has contemporaneously filed an extension of the decision deadline. The decision deadline was April 19, 2013: Chicago Coke has extended that deadline to May 31, 2013.
4. Chicago Coke makes this motion in good faith, and not for purposes of delay.
5. Counsel for IEPA and NRDC have stated they have no objection to this motion for extension.

WHEREFORE, Chicago Coke moves for an extension to and including January 31, 2013 for the filing of Chicago Coke's amended responses to the pending motions for summary judgment, and for such other relief as the hearing officer deems appropriate.

CHICAGO COKE CO., INC.

By: 
One of its attorneys

Dated: January 18, 2013

Michael J. Maher
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Chicago, Illinois 60611
Telephone: (312) 321-9100

CHICAGO COKE CO., INC., an Illinois corporation,

v.

THE ILLINOIS ENVIROMENTAL
PROTECTION AGENCY,

Respondent.

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Petitioner, CHICAGO COKE CO., INC., by its attorneys Swanson, Martin & Bell, LLP, hereby waives the decision deadline in this appeal to and including May 31, 2013.

CHICAGO COKE CO., INC.

By:

One of its attorneys

Dated: January 17, 2013.

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