

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
v.) PCB 21-039
) (Enforcement - Land)
BUENING IMPLEMENT, INC.,)
an Illinois corporation,)
)
Respondent.)

NOTICE OF FILING

TO: Don Brown Carol Webb
Clerk of the Board Hearing Officer
Illinois Pollution Control Board Illinois Pollution Control Board
James R. Thompson Center 1021 North Grand Avenue East
100 West Randolph, Suite 11-500 Post Office Box 19274
Chicago, Illinois 60601 Springfield, Illinois 62794-9276
(VIA ELECTRONIC MAIL) (VIA ELECTRONIC MAIL)

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board an **SECOND JOINT MOTION FOR EXTENSION OF TIME TO ANSWER COMPLAINT**, copies of which are herewith served upon you.

Respectfully submitted,

Buening Implement, Inc.
Respondent

DATE: February 11, 2021

By: /s/ Jennifer M. Martin
One of Its Attorneys

Jennifer M. Martin
HEPLERBROOM, LLC
4340 Acer Grove Drive
Springfield, IL 62711
Jennifer.Martin@heplerbroom.com
(217) 528-3674

CERTIFICATE OF SERVICE

I, the undersigned, on oath state the following:

That I have served the attached **SECOND JOINT MOTION FOR EXTENSION OF TIME TO ANSWER COMPLAINT** via electronic mail upon:

Don Brown
Clerk of the Board
Illinois Pollution Control Board
100 W. Randolph Street, Suite 11-500
Chicago, Illinois 60601
Don.Brown@illinois.gov

Carol Webb
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
Post Office Box 19274
Springfield, Illinois 62794-9276
Carol.Webb@illinois.gov

Raymond J. Callery
Assistant Attorney General
500 S. Second Street
Springfield, Illinois 62701
rcallery@atg.state.il.us
ebs@atg.state.il.us

That my email address is Jennifer.Martin@heplerbroom.com

That the number of pages in the email transmission is 4 pages.

That the email transmission took place before 5:00 p.m. on the date of February 11, 2021.

/s/ Jennifer M. Martin

Jennifer M. Martin

Date: February 11, 2021

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Complainant,)	
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v.)	PCB 21-039
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an Illinois corporation,)	
)	
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SECOND JOINT MOTION FOR EXTENSION OF TIME TO ANSWER COMPLAINT

BUENING IMPLEMENT, INC. (“Buening” or “Respondent”), and THE PEOPLE OF THE STATE OF ILLINOIS (“Complainant”), by and through their respective attorneys, hereby file this Second Joint Motion for Extension of Time to Answer Complaint. In support of this Joint Motion, Buening and Complainant state as follows:

1. On November 23, 2020, Complainant filed its Complaint with the Illinois Pollution Control Board (“Board”), naming Buening Implement, Inc. as a Respondent.
2. The date of service of the Complaint on Respondent is unknown because there is no date of delivery indicated on the certified mail receipt.
3. On January 22, 2021, Buening requested until February 12, 2021, to file its Answer to allow the parties to continue settlement discussions and attempt to reach a resolution in this matter.
4. Counsel for Buening and the Complainant are continuing settlement discussions, therefore, Buening is requesting an extension of time to file its Answer until April 13, 2021.

5. Counsel for Buening and the Complainant have conferred regarding the deadline to file an answer to the Complaint, and Complainant has agreed to an extension of time to April 13, 2021, for Buening to file an Answer in this matter.

6. Therefore, Buening and the Complainant jointly request an extension of time to file an Answer to the Complaint until April 13, 2021.

7. Granting of this Joint Motion will not result in prejudice to any party or participant.

WHEREFORE, for the above and foregoing reasons, BUENING IMPLEMENT, INC., and THE STATE OF ILLINOIS request that the Illinois Pollution Control Board enter an Order granting this Second Joint Motion for Extension of Time to Answer Complaint, extending the deadline for BUENING IMPLEMENT, INC. to file its Answer to the Complaint to April 13, 2021.

Respectfully submitted,

BUENING IMPLEMENT, INC.,
Respondent,

PEOPLE OF THE STATE OF ILLINOIS
KWAME RAOUL, Attorney General of the
State of Illinois, Complainant

By: /s/ Jennifer M. Martin
Jennifer M. Martin

By: /s/ Raymond J. Callery
Raymond J. Callery

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Date: February 11, 2021