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MAY 11 2004

STATE OF ILLINOIS
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF :)	
)	
PROPOSED AMENDMENTS TO:)	R04-22
REGULATION PETROLEUM LEAKING)	(Rulemaking - UST)
UNDERGROUND STORAGE TANKS)	
35 ILL. ADM. CODE 732)	

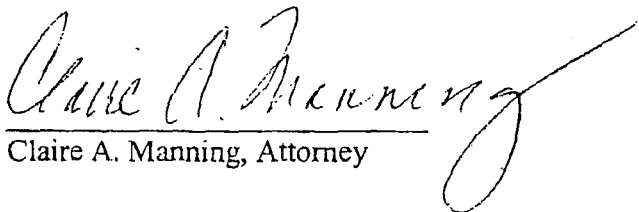
IN THE MATTER OF :)	
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REGULATION PETROLEUM LEAKING)	(Rulemaking - UST)
UNDERGROUND STORAGE TANKS)	Consolidated
35 ILL. ADM. CODE 734)	

To: Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph, Suite 11-500
Chicago, Illinois 60601

Ms. Marie E. Tipsord
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph, Suite 11-500
Chicago, IL 60601

NOTICE OF FILING

PLEASE TAKE NOTICE that on May 11, 2004, I filed with the Clerk of the Illinois Pollution Control Board, an original and nine (9) copies of a MOTION FOR EXTENSION OF TIME, with the Clerk and the HEARING OFFICER of the ILLINOIS POLLUTION CONTROL BOARD, copies of which are herewith served upon you.


 Claire A. Manning, Attorney

CLAIRE A. MANNING
 Posegate & Denes, P.C.
 111 N. Sixth Street, Suite 200
 Springfield, Illinois 62701
 (217) 522-6152
 (217) 522-6184 (FAX)
 claire@posegate-denes.com

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PROOF OF SERVICE

The undersigned, being duly sworn, states that a true and correct copy of the foregoing NOTICE OF FILING, together with a copy of MOTION FOR EXTENSION OF TIME, was served on the individuals as listed below, by mailing the same via the United States postal service, Springfield, Illinois on May 11, 2004:

Gina Roccaforte
Kyle Rominger
IEPA
1021 North Grand Ave. East
P.O. Box 19276
Springfield, IL 62794

Thomas G. Safley
Hodge, Dwyer, Zeman
3150 Roland Avenue
P.O. Box 5776
Springfield, IL 62705

William G. Dickett
Sidley, Austin, Brown & Wood
Bank One Plaza
10 South Dearborn Street
Chicago, IL 60603

Barbara Magel
Karaganis & White, Ltd.
414 North Orleans St., Suite 810
Chicago, IL 60610

Bill Fleischli
Illinois Petroleum Marketers Association
112 West Cook Street
Springfield, IL 62704

Joe Kelly, PE
United Science Industries, Inc.
P.O. Box 360
6295 East Illinois Highway 15
Woodlawn, IL 62898-0360

Robert A. Messina, General Counsel
Illinois Environmental Regulatory Group
3150 Roland Avenue
Springfield, IL 62703

Kenneth James
Carlson Environmental, Inc.
65 E. Wacker Place, Suite 1500
Chicago, IL 60601

Lisa Frede
Chemical Industry Council of IL
2250 E. Devon Ave., Suite 239
DesPlaines, IL 60018

Carolyn S. Hesse
Barnes & Thornburg
1 North Wacker Drive, Suite 4400
Chicago, IL 60606

Michael W. Rapps
Rapps Engineering & Applied Science
821 S. Durkin Drive
P.O. Box 7349
Springfield, IL 6279107349

Joel J. Sternstein
Office of the Attorney General
Environmental Bureau
188 West Randolph, 20th Floor
Chicago, IL 60601

Tom Herlacher
Herlacher Angleton Associates, LLC
8731 Bluff Road
Waterloo, IL 62298

Jennifer Goodman
Herlacher Angleton Associates
522 Belle Street
Alton, IL 62002

Joseph W. Truesdale, PE
CSD Environmental Services
2220 Yale Blvd.
Springfield, IL 62703

James E. Huff, PE
Huff & Huff, Inc.
512 W. Burlington Ave., Suite 100
LaGrange, IL 60525

Ron Dye, President
CORE Geological Services, Inc.
2621 Monetga, Suite C
Springfield, IL 62704

Scott Anderson
Black & Veatch
101 N. Wacker Dr., Suite 1100
Chicago, IL 60606

Monte Nienkerk
Clayton Group Services, Inc.
3140 Finley Road
Downers Grove, IL 60515

Melanie LoPiccolo, Office Manager
Marlin Environmental, Inc.
1000 West Spring St.
South Elgin, IL 60177

Kurt Stepping
PDC Laboratories
2231 W. Altorfer Drive
Peoria, IL 61615

Brian Porter
Terracon
870 40th Avenue
Bettendorf, IA 52722

Thomas M. Guist, PE
Atwell-Hicks, Inc.
940 E. Diehl Road, Suite 100
Naperville, IL 60563

Jonathan Furr, General Counsel
Illinois Dept. of Natural Resources
One Natural Resources Way
Springfield, IL 62702

Jeff Wienhoff
CW³M Company, Inc.
701 S. Grand Ave. West
Springfield, IL 62704

Joe Kelly, VP Engineering
EcoDigital Development LLC
P.O. Box 360
6295 East Illinois Highway 15
Woodlawn, IL 62898

Jarrett Thomas, V.P.
Suburban Laboratories, Inc.
4140 Litt Drive
Hillside, IL 60162

Glen Lee, Manager
Wendler Engineering Services, Inc.
1770 West State St.
Sycamore, IL 60178

Dan King
United Science Industries, Inc.
6295 East Illinois Highway 15
Woodlawn, IL 62898

A.J. Pavlick
Great Lakes Analytical
1380 Busch Parkway
Buffalo Grove, IL 60089

Richard Andros, PE
Environmental Consulting &
Engineering, Inc.
551 Roosevelt Rd., #309
Glenn Ellyn, IL 60137

Terrance W. Dixon
MACTEC Engineering & Consulting, Inc.
8901 N. Industrial Road
Peoria, IL 61615

Erin Curley
Midwest Engineering Services, Inc.
4243 W. 166th St.
Oak Forest, IL 60452

Steve Gobelman
Illinois Dept. of Transportation
2300 Dirksen Parkway
Springfield, IL 62764

Ken Miller, Regional Manager
American Environmental Corp.
3700 W. Grand Avenue, Suite A
Springfield, IL 62707

Collin W. Gray
SEECO Environmental Services, Inc.
7350 Duvon Drive
Tinley Park, IL 60477

Russ Goodiel
Applied Environmental Solutions, Inc.
P.O. Box 1225
Centralia, IL 62801

George Moncek
United Environmental Consultants
119 E. Palatine Road, Suite 101
Palatine, IL 60067

Daniel Goodwin
Secor International, Inc.
400 Bruns Lane
Springfield, IL 62702

David Rieser
McGuire Woods LLP
77 W. Wacker, Suite 4400
Chicago, IL 60601

Eric Minder
Caterpillar, Inc.
100 N.E. Adams St.
Peoria, IL 61629

Tina Archer
Greensfelder, Hemker & Gale
10 S. Broadway, Suite 2000
St. Louis, MO 63104

Daniel Caplice
K-Plus Environmental
600 W. Van Buren St., Suite 1000
Chicago, I 60607

Claire A. Manning

SUBSCRIBED AND SWORN to before me this 11th day of May, 2004

[Signature]
NOTARY PUBLIC

CLAIRE A. MANNING
111 N. Sixth Street, Suite 200
Springfield, Illinois 62701
(217) 522-6152
(217) 522-6184 (FAX)
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PROFESSIONALS OF ILLINOIS FOR THE PROTECTION OF THE ENVIRONMENT
("PIPE") MOTION TO EXTEND DATE FOR PRE-FILING TESTIMONY

NOW COMES the Professionals of Illinois for the Protection of the Environment ("PIPE"), by and through its attorney Claire A. Manning, and, for the following reasons, respectfully moves that HEARING OFFICER TIPSORD of the Illinois Pollution Control Board extend the time for the pre-filing of testimony. In support of such Motion, PIPE asserts the following:

- (1) As established by the Hearing Officer, the current hearing schedule sets forth pre-filing of all testimony by May 11, 2004.
- (2) Already the parties have been actively consumed in this proceeding, having pre-filed questions to the Illinois Environmental Protection Agency on May 5, 2004, as required by the Hearing Officer.
- (3) Additionally, the Agency has filed a Motion for Emergency rulemaking, requiring swift response on the part of all participants. That Motion is still pending.

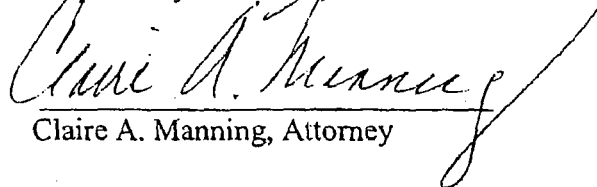
(4) The preparation of those documents consumed so much time on the part of PIPE participants and the undersigned that more time is needed to effectively prepare the testimony which will be presented by members of PIPE in opposition to various aspects of the proposal.

(5) Additionally, since the questions asked of the Agency require significant and specific response, PIPE members will be seriously disadvantaged by the requirement to prepare and file testimony in advance of the Agency's responses, since that testimony would not be responsive to the Agency's answers and any follow-up to those answers.

(6) Further, given the nature of the questions required of the Agency, it is likely that the May 25 hearing day, as well as the spillover hearing day, May 26, will be consumed solely by the Agency answering questions, and providing answers to whatever follow-up questions are asked. Thus, it appears that another hearing date may be necessary for the Board to have a clear and complete record in this rulemaking and that the requirement for pre-filing of all non-Agency testimony, given how this rulemaking has progressed, may be premature.

(7) In any event, in order to ensure that the Board is provided with the best possible information and testimony from members of PIPE, that is responsive to all of the issues raised by this rulemaking and any concerns of the Board, PIPE respectfully requests that the Hearing Officer extend its time for filing pre-filed questions to a more suitable date than May 11, 2004.

Respectfully submitted,



Claire A. Manning, Attorney

CLAIRE A. MANNING
Posegate & Denes, P.C.
111 N. Sixth Street
Springfield, Illinois 62705
(217) 522-6152
(217) 522-6184 (FAX)

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POSEGATE & DENES, P.C.
Attorneys at Law
111 North 6th Street, Suite 200
P.O. Box 338
Springfield, IL 62705-0338

Carol Hansen Posegate
Jane Nolan Denes

Telephone (217) 522-6152
Facsimile (217) 522-6184

Claire A. Manning
Of Counsel

FAX TRANSMISSION

TO: Marie Tipton
FROM: Claire Manning
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FAX NO: (217) 522-6184

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