

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

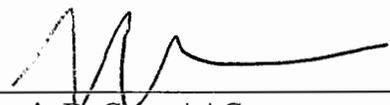
CONGRESS DEVELOPMENT COMPANY,	)	
	)	
Petitioner,	)	
	)	
vs.	)	PCB No. 14-27
	)	
ILLINOIS ENVIRONMENTAL PROTECTION	)	(Permit Appeal – Air)
AGENCY,	)	
	)	
Respondent.	)	

**NOTICE OF FILING**

To: See attached service list  
(VIA ELECTRONIC FILING)

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board by electronic filing the following Parties' Joint Motion for Extension of Time for Respondent to File Record of Decision or Other Pleading, copies of which are attached and hereby served upon you.

LISA MADIGAN  
Attorney General  
State of Illinois




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Jamie D. Getz, AAG

Dated: November 5, 2013

Jamie D. Getz  
Assistant Attorney General  
Environmental Bureau  
Illinois Attorney General's Office  
69 W. Washington Street, Suite 1800  
Chicago, Illinois 60602  
(312) 814-6986

**THIS FILING IS SUBMITTED ON RECYCLED PAPER**

Service List

John Therriault  
Assistant Clerk  
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100 W. Randolph  
Chicago, Illinois 60601  
(by *electronic filing*)

Bradley P. Halloran  
Hearing Officer  
Illinois Pollution Control Board  
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Chicago, Illinois 60601

Russell R. Eggert  
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**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

CONGRESS DEVELOPMENT COMPANY,	)	
	)	
Petitioner,	)	
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vs.	)	PCB No. 14-27
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ILLINOIS ENVIRONMENTAL PROTECTION	)	(Permit Appeal – Air)
AGENCY,	)	
	)	
Respondent.	)	

**PARTIES' JOINT MOTION FOR EXTENSION OF TIME FOR RESPONDENT TO FILE RECORD OF DECISION OR OTHER PLEADING**

NOW COME, Petitioner, CONGRESS DEVELOPMENT COMPANY, and Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY (“Illinois EPA”), and move the ILLINOIS POLLUTION CONTROL BOARD (“Board”) for an extension of time to file the record or other pleading pursuant to Section 101.506 of the Board Procedural Rules. The parties state the following in support of their joint motion:

1. On October 16, 2013, the Petitioner filed with the Board its petition entitled “Petition for Review of Request for Alternative Compliance Timelines,” seeking review of the Agency’s determination to deny Petitioner’s request for alternate operating parameters and procedures for certain active landfill gas extraction collectors.

2. As of the time of filing of this Motion, the Board has not issued an order providing a deadline by which Respondent is to file the administrative record in this matter.

3. Section 105.116 of the Board Procedural Rules provides as follows:

The State agency must file with the Board the entire record of its decision within 30 days after the filing of the petition of review, unless this Part provides otherwise, or the Board or hearing officer orders a different filing date. If the state agency wishes to seek additional time to file the record, it

must file a request for extension before the date on which the record is due to be filed.

4. In the present matter, the parties are working together toward a resolution and parties agree to extend the time for the Respondent to file the record of decision until January 11, 2014.

5. Section 101.506 of the Board Procedural Rules provides as follows:

Motions Attacking the Sufficiency of the Petition, Complaint, or Other Pleading. All motions to strike, dismiss, or challenge the sufficiency of any pleading filed with the Board must be filed within 30 days after the service of the challenged document, unless the Board determines that material prejudice would result.

6. Section 101.522 of the Board Procedural Rules provides as follows:

Motions for Extension of Time. The Board or hearing officer, for good cause shown on the motion after notice to the opposite party, may extend the time for filing any document or doing any act which is required by these rules to be done within a limited period, either before or after the expiration of time.

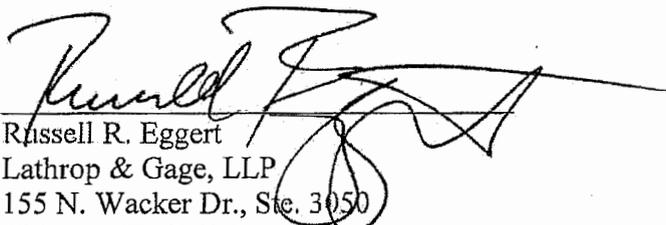
7. The parties are working together toward a resolution to this matter and are endeavoring to conserve the resources of the parties and the Board, and direct them in a manner that will result in the most expeditious resolution of this matter. To that end, the parties agree in this matter to extend the time for Respondent to file any other pleading pursuant to Section 101.506 of the Board Procedural Rules be extended to January 11, 2014.

WHEREFORE, the parties move the Board grant this request to extend the deadline for filing the record or any other pleading to January 11, 2014.

ILLINOIS ENVIRONMENTAL PROTECTION  
AGENCY

By:   
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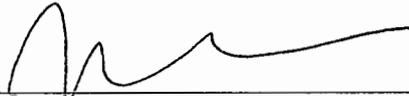
CONGRESS DEVELOPMENT COMPANY

By:   
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Russell R. Eggert  
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155 N. Wacker Dr., Ste. 3050  
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(312) 920-3339

Date: November 5, 2013

**CERTIFICATE OF SERVICE**

I, Jamie Getz, an Assistant Attorney General, certify that on the 5<sup>th</sup> day of November 2013, I caused to be served by U.S. Certified Mail, the foregoing Parties' Joint Motion for Extension of Time for Respondent to File Record of Decision or Other Pleading to the parties named on the attached Service List, by depositing same in postage prepaid envelopes with the United States Postal Service located at 100 West Randolph Street, Chicago, Illinois 60601.



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