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JUN 16 2004

STATE OF ILLINOIS
Pollution Control Board

BEFORE THE POLLUTION CONTROL BOARD
OF THE STATE OF ILLINOIS

SUTTER SANITATION, INC. and)	
LAVONNE HAKER,)	
)	
Petitioners,)	
)	
v.)	PCB No. 04-187
ILLINOIS ENVIRONMENTAL)	(Permit Appeal)
PROTECTION AGENCY,)	
)	
Respondent.)	

NOTICE

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street
Suite 11-500
Chicago, IL 60601

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

Charles J. Northrup
Sorling, Northrup, Hanna
Cullen & Cochran, Ltd.
Suite 800 Illinois Building
P.O. Box 5131
Springfield, IL 62705

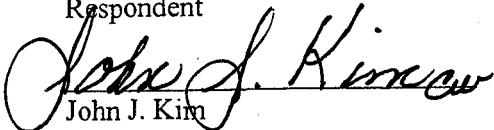
Christine G. Zeman
Hodge Dwyer Zeman
3150 Roland Avenue
P.O. Box 5776
Springfield, IL 62705-4900

John M. Heyde
Sidley Austin Brown & Wood, LLP
10 South Dearborn Street
Chicago, IL 60603

PLEASE TAKE NOTICE that I have today filed with the office of the Clerk of the Pollution Control Board a MOTION FOR EXTENSION OF TIME TO FILE RESPONSE, copies of which are herewith served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,
Respondent


John J. Kim
Assistant Counsel
Special Assistant Attorney General
Division of Legal Counsel
1021 North Grand Avenue, East
P.O. Box 19276
Springfield, Illinois 62794-9276
217/782-5544
217/782-9143 (TDD)
Dated: June 14, 2004

CERTIFICATE OF SERVICE

I, the undersigned attorney at law, hereby certify that on June 14, 2004, I served true and correct copies of a MOTION FOR EXTENSION OF TIME TO FILE RESPONSE, by placing true and correct copies in properly sealed and addressed envelopes and by depositing said sealed envelopes in a U.S. mail drop box located within Springfield, Illinois, with sufficient First Class Mail postage affixed thereto, upon the following named persons:

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street
Suite 11-500
Chicago, IL 60601

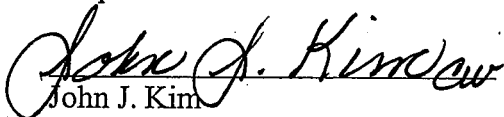
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Respondent


John J. Kim

Assistant Counsel
Special Assistant Attorney General
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OF THE STATE OF ILLINOIS**

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SUTTER SANITATION, INC. and)
LAVONNE HAKER,)
 Petitioners,)
 v.)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
 Respondent.)

STATE OF ILLINOIS
Pollution Control Board

PCB No. 04-187
(Permit Appeal)

MOTION FOR EXTENSION OF TIME TO FILE RESPONSE

NOW COMES the Respondent, the Illinois Environmental Protection Agency ("Illinois EPA"), by one of its attorneys, John J. Kim, Assistant Counsel and Special Assistant Attorney General, and, pursuant to 35 Ill. Adm. Code 101.500 and 101.522, hereby requests that the Illinois Pollution Control Board ("Board") waive the normal filing requirements of 35 Ill. Adm. Code 101.516(a) and grant the Illinois EPA an extension of time within which to file a response to the motion to intervene filed by Mr. Jesse Ruffner and Family, Mr. Lloyd Stock and Stock & Company, LLC ("movants," collectively). In support of this motion, the Illinois EPA states as follows:

1. The movants filed a motion to intervene with the Board on or about May 28, 2004. The Illinois EPA received service of the motion on June 1, 2004. Pursuant to 35 Ill. Adm. Code 101.500(d), a response to the motion for summary judgment is to be filed with the Board within fourteen (14) days after service of the motion. Accordingly, the Illinois EPA's response to the motion to intervene is due on or before June 15, 2004.

2. In the time between service of the motion and the required date for filing the response, the undersigned counsel for the Illinois EPA has been expending time and resources to finalize settlement proposals in approximately 50 appeals pending before the Board. This time commitment, other case load-related obligations, and the undersigned counsel being out of the

office from June 11, 2004 through June 16, 2004 on a family vacation, have resulted in additional time being needed to file a response to the motion to intervene.

3. No hearing date has been set in this matter.

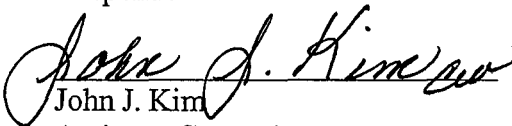
4. The Illinois EPA and the Petitioner have discussed issues related to this matter and have met via teleconference with the Hearing Officer. The parties are in agreement with a schedule to file motions for partial summary judgment. That schedule, approved by the Hearing Officer, will not be impacted by this motion for an extension of time.

5. Regardless, the Illinois EPA seeks only a very limited period of time by which to file its response to the motion to intervene. Specifically, the Illinois EPA seeks a one (1) week extension of time to file its response to the motion to intervene, to June 22, 2004.

WHEREFORE, for the reasons stated above, the Illinois EPA hereby respectfully requests that the Board grant the Illinois EPA an extension of time to file the response to the motion to intervene to June 22, 2004.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,
Respondent



John J. Kim
Assistant Counsel
Special Assistant Attorney General
Division of Legal Counsel
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