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JAN 03 2005

STATE OF ILLINOIS  
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PAUL JOHNSON, INC., )  
)  
Petitioner, )  
)  
v. )  
)  
ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY and )  
VILLAGE OF WATERMAN, ILLINOIS, )  
)  
Respondents. )

PCB No. 05-109

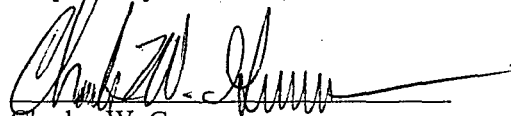
NOTICE OF FILING

To: Richard M. Saines, Esq.  
Baker & McKenzie  
130 East Randolph Drive, Suite 3500  
Chicago, Illinois 60601  
(312) 861-8000

Tom Difasio  
Director of Public Works  
Village of Waterman  
215 Adams Street  
Waterman, Illinois 60556  
(815) 264-3652

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board the **Appearance of Charles W. Gunnarson** on behalf of the Illinois Environmental Protection Agency in this matter, and the **Motion for Extension of Time to Respond** to Petitioner's petition for community well setback exception, copies of which are herewith served upon you.

Respectfully submitted,

  
Charles W. Gunnarson  
Assistant Counsel

December 29, 2004

Charles W. Gunnarson  
Assistant Counsel  
Division of Legal Counsel  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
Post Office Box 1976  
Springfield, Illinois 62794-9276  
(217) 782-5544

THIS FILING IS SUBMITTED ON RECYCLED PAPER

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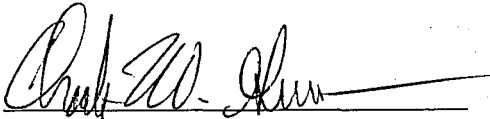
PCB No. 05-109 )

ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY and )  
VILLAGE OF WATERMAN, )

Respondents. )

APPEARANCE

I hereby file my appearance in this proceeding, on behalf of the Illinois  
Environmental Protection Agency.



Charles W. Gunnarson  
Assistant Counsel

Charles W. Gunnarson  
Assistant Counsel  
Division of Legal Counsel  
Illinois Environmental Protection Agency  
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Post Office Box 19276  
Springfield, Illinois 62794-9276  
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Petitioner,	)	
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v.	)	PCB No. 05-109
	)	
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY and	)	
VILLAGE OF WATERMAN,	)	
	)	
Respondents.	)	

MOTION FOR EXTENSION OF TIME TO FILE RESPONSE

NOW COMES the Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, by and through Charles W. Gunnarson, one of its attorneys, and for its motion for extension of time to file its response to the Petitioner's Petition for Community Well Setback Exception ("Petition") states as follows:

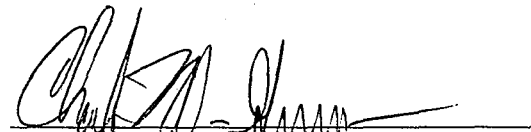
1. The above-noted Petition was filed with the Illinois Pollution Control Board ("Board") on December 10, 2004.
2. Pursuant to 35 Ill. Adm. Code 106.306(a), the Illinois EPA is to file its response with the Board on water well setback procedures within 21 days of the filing of such a petition.
3. The Illinois Environmental Protection Agency ("Illinois EPA") first received notice of the Petition on December 15, 2004.
4. Counsel for the Illinois EPA first received notice of the Petition on December 21, 2004.

5. Since December 21, 2004, due to other work responsibilities and year-end scheduling for both Counsel for the Illinois EPA and Illinois EPA technical staff, Counsel for the Illinois EPA has not yet been able to confer with Illinois EPA technical staff regarding the Petition. As a result, Counsel for the Illinois EPA has yet to be able to develop the Illinois EPA's response to the Petition.

6. Counsel for the Illinois EPA believes the Respondent Illinois ENVIRONMENTAL PROTECTION AGENCY can file its response to the Petition on or before January 28, 2005. Counsel for the Illinois EPA is presently unaware of any prejudice that might occur to any party should the Board grant this request.

WHEREFORE, Respondent ILLINOIS ENVIRONMENTAL PROTECTION AGENCY respectfully requests that the Board provide it until no later than January 28, 2005 to file its response to the Petition.

Respectfully submitted,

  
Charles W. Gunnarson  
Assistant Counsel

Charles W. Gunnarson  
Assistant Counsel  
Division of Legal Counsel  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
Post Office Box 19276  
Springfield, Illinois 62794-9276  
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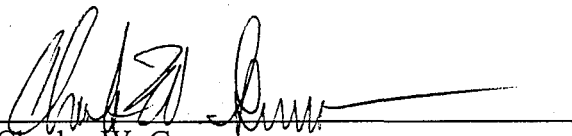
**THIS FILING IS SUBMITTED ON RECYCLED PAPER**

**CERTIFICATE OF SERVICE**

I, Charles W. Gunnarson, certify that I have served the attached **Appearance and Motion for Extension of Time to Respond to Petition for Community Well Setback Exception**, by first class mail, upon the following persons:

Richard M. Saines, Esq.  
Baker & McKenzie  
130 East Randolph Drive, Suite 3500  
Chicago, Illinois 60601  
(312) 861-8000

Tom Difasio  
Director of Public Works  
Village of Waterman  
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\_\_\_\_\_  
Charles W. Gunnarson  
Assistant Counsel  
Division of Legal Counsel