

RECEIVED
CLERK'S OFFICE

APR 11 2005

STATE OF ILLINOIS
Pollution Control Board

BEFORE THE POLLUTION CONTROL BOARD
OF THE STATE OF ILLINOIS

ROHM AND HAAS COMPANY,)	
)	
Petitioner,)	
)	
v.)	PCB No. 05-164
)	(Permit Appeal)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

NOTICE OF FILING

TO: Dorothy Gunn, Clerk
Illinois Pollution Control Board
James Thompson Center
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

Christopher W. Newcomb, Esq.
Karaganis, White & Magel, Ltd.
414 North Orleans Street, Suite 810
Chicago, Illinois 60610

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board a MOTION TO REQUEST EXTENSION OF TIME of the Illinois Environmental Protection Agency, a copy of which is herewith served upon you.

ENVIRONMENTAL PROTECTION AGENCY
OF THE STATE OF ILLINOIS

BY: Dennis E. Brown
Dennis E. Brown
Assistant Counsel
Division of Legal Counsel

RECEIVED
CLERK'S OFFICE

**BEFORE THE POLLUTION CONTROL BOARD
OF THE STATE OF ILLINOIS**

APR 11 2005

**STATE OF ILLINOIS
Pollution Control Board**

ROHM AND HAAS COMPANY)

Petitioner,)

v.)

PCB No. PCB 05-164

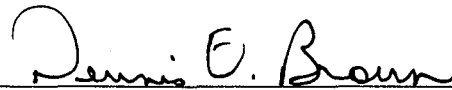
ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,)

Respondent.)

The undersigned, as one of the attorneys, hereby enters his APPEARANCE on behalf of Respondent, Illinois Environmental Protection Agency.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

BY:



Dennis E. Brown
Assistant Counsel
Division of Legal Counsel

Date: April 8, 2005

Illinois Environmental Protection Agency
1021 North Grand Avenue, P.O. Box 19276
Springfield, Illinois 62794-9276
217/782-5544, TDD 217/782-9143

3. Since the date of the Board's March 17, 2005 Order, representatives of the Illinois EPA and Rohm and Haas Company have conferred regarding the March 11, 2005 Petition, and discussed settlement of issues set forth within the petition in resolution of the permit appeal. Based upon discussions mentioned above, the Illinois EPA anticipates settlement of the all issues relative to objectionable permit conditions contained within FESOP number 89060066 is likely without requiring the issuance of an Order and Opinion of the Board based upon the facts and evidence during a hearing before the Board in this matter.

4. Based upon the foregoing, filing of the administrative record, at this juncture, will seemingly not be required to further a review of all issues set forth within the Petition and resolution of the permit appeal.

For the foregoing reasons, the Illinois EPA respectfully requests that the Board grant an extension of time to file the Administrative Record of Permit Decision for an additional 60 days to facilitate resolution of the pending permit appeal through settlement discussions between the parties.

Respectfully submitted,

Illinois Environmental Protection Agency

By: Dennis E. Brown

Dennis E. Brown
One of Its Attorneys

April 8, 2005

BEFORE THE POLLUTION CONTROL BOARD
OF THE STATE OF ILLINOIS

RECEIVED
CLERK'S OFFICE

APR 11 2005

STATE OF ILLINOIS
Pollution Control Board

ROHM AND HAAS COMPANY)

Petitioner,)

v.)

PCB No. PCB 05-164

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)

Respondent.)

MOTION FOR EXTENSION TO TIME

NOW COMES the Respondent, the ILLINOIS ENVIRONMENTAL PROTECTION AGENCY ("Illinois EPA"), and pursuant to 35 Ill. Adm. Code 105.116, moves the Illinois Pollution Control Board ("Board") to extend the time for filing of the Administrative Record of Permit Decision required pursuant to 35 Ill. Adm. Code 105.116. In support of this motion, the Illinois EPA states as follows:

1. On March 11, 2005, Rohm and Haas Company ("Petitioner") filed with the Pollution Control Board ("Board") a petition for review ("Petition") of the Illinois EPA's permit decision resulting in the issuance of Federally Enforceable State Operating Permit ("FESOP") number 89060066, on February 7, 2005. A copy of the Petition was received by the Illinois EPA, on March 11, 2005.

2. On March 17, 2005, the Board issued an Order in relation to the petition stating, in part, that the Illinois EPA must file the record of its determination on or before April 10, 2005. The Illinois EPA has determined that April 10, 2005, falls within a weekend day.

STATE OF ILLINOIS

)

COUNTY OF SANGAMON

)

)

PROOF OF SERVICE

I, the undersigned, certify that I have served the attached MOTION FOR EXTENSION OF TIME and APPEARANCE upon the person(s) to whom it is directed, by placing the necessary copies in a first class mail package addressed to:

Dorothy Gunn, Clerk
Illinois Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

Christopher W. Newcomb, Esq.
Karaganis, White & Magel, Ltd.
414 North Orleans Street, Suite 810
Chicago, Illinois 60610

and mailing it from Springfield, Illinois on April 8, 2005, with sufficient postage affixed.

_____