

BEFORE THE POLLUTION CONTROL BOARD  
OF THE STATE OF ILLINOIS

RECEIVED  
CLERK'S OFFICE

JAN 31 2005

STATE OF ILLINOIS  
Pollution Control Board

IN THE MATTER OF: )  
)  
PETITION OF JO'LYN CORPORATION )  
and FALCON WASTE AND RECYCLING ) AS 04-02 .  
for an ADJUSTED STANDARD from ) (Adjusted Standard – Land)  
35 ILL. ADM. CODE PART 807 or, )  
in the alternative, A FINDING OF )  
INAPPLICABILITY. )

NOTICE

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


Bradley P. Halloran, Hearing Officer  
Illinois Pollution Control Board  
James R. Thompson Center  
100 West Randolph Street  
Suite 11-500  
Chicago, IL 60601

Elizabeth S. Harvey  
Swanson, Martin & Bell  
One IBM Plaza, Suite 3300  
330 North Wabash Avenue  
Chicago, IL 60611

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, 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: January 28, 2005

BEFORE THE POLLUTION CONTROL BOARD  
OF THE STATE OF ILLINOIS

RECEIVED  
CLERK'S OFFICE

JAN 31 2005

STATE OF ILLINOIS  
Pollution Control Board

IN THE MATTER OF: )  
)  
PETITION OF JO'LYN CORPORATION )  
and FALCON WASTE AND RECYCLING ) AS 04-02  
for an ADJUSTED STANDARD from ) (Adjusted Standard – Land)  
35 ILL. ADM. CODE PART 807 or, )  
in the alternative, A FINDING OF )  
INAPPLICABILITY. )

**MOTION FOR EXTENSION OF TIME TO FILE POST-HEARING RESPONSE BRIEF**

NOW COMES 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") grant the Illinois EPA an extension of time within which to file its post-hearing response brief. In support of this motion, the Illinois EPA states as follows:

1. On December 22, 2004, the parties participated in a hearing in this matter. At the conclusion of the hearing, the parties agreed that, *inter alia*, the Illinois EPA's post-hearing response brief would be filed by no later than January 28, 2005.
2. Due to several other matters that have also fallen due in the time period between the filing of the Petitioners' post-hearing brief and the present date, the undersigned counsel for the Illinois EPA has been unable to complete the post-hearing response brief in a timely fashion. A short extension to January 31, 2005, or one business day, will be sufficient to allow completion and filing of the Illinois EPA's post-hearing response brief.
3. The Petitioners should not be prejudiced by this short delay, since only one business day will elapse between the original due date and the extension date.

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 its post-hearing response brief to January 31, 2005.

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: January 28, 2005

This filing submitted on recycled paper.

## CERTIFICATE OF SERVICE


I, the undersigned attorney at law, hereby certify that on January 28, 2005, I served true and correct copies of a MOTION FOR EXTENSION OF TIME, 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

Bradley P. Halloran, Hearing Officer  
Illinois Pollution Control Board  
James R. Thompson Center  
100 West Randolph Street  
Suite 11-500  
Chicago, IL 60601

Elizabeth S. Harvey  
Swanson, Martin & Bell  
One IBM Plaza, Suite 3300  
330 North Wabash Avenue  
Chicago, IL 60611

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)