

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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OCT 25 2006

CELOZZI-ETTLESON CHEVROLET, INC.)
Petitioner,)
)
v.)
ILLINOIS ENVIRONMENTAL PROTECTION)
AGENCY,)
Respondent.)

STATE OF ILLINOIS
Pollution Control Board
PCB 07- 031
(LUST Appeal – Ninety Day
Extension)

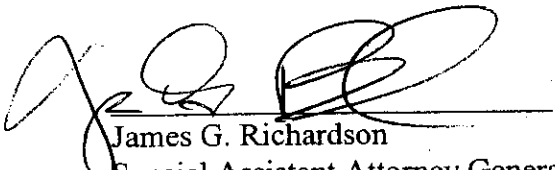
NOTICE

Dorothy Gunn
Clerk
Illinois Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601-3218

Edward V. Walsh, III
Sachnoff & Weaver, Ltd.
10 South Wacker Drive
Chicago, Illinois 60606-7507

PLEASE TAKE NOTICE that I have today caused to be filed a REQUEST FOR NINETY DAY EXTENSION OF APPEAL PERIOD with the Illinois Pollution Control Board, copies of which are served upon you.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY


James G. Richardson
Special Assistant Attorney General

Dated: October 19, 2006
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276
217/782-5544

THIS FILING IS SUBMITTED ON RECYCLED PAPER

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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OCT 25 2006

STATE OF ILLINOIS
Pollution Control Board

CELOZZI-ETTLESON CHEVROLET,)
INC.,)
Petitioner,)

v.)

PCB No. 07- 031
(LUST Appeal -- Ninety Day Extension)

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
Respondent.)

**REQUEST FOR NINETY DAY EXTENSION
OF APPEAL PERIOD**

NOW COMES the Respondent, the Illinois Environmental Protection Agency ("Illinois EPA"), by one of its attorneys, James G. Richardson, Special Assistant Attorney General, and, pursuant to Section 40(a)(1) of the Illinois Environmental Protection Act (415 ILCS 5/40(a)(1)) and 35 Ill. Adm. Code 105.208, hereby requests that the Illinois Pollution Control Board ("Board") grant an extension of the thirty-five (35) day period for petitioning for a hearing to January 26, 2007, or any other date not more than a total of one hundred twenty-five (125) days from the date of receipt of the Illinois EPA's final decision. In support thereof, the Illinois EPA respectfully states as follows:


1. On September 21, 2006, the Illinois EPA issued a final decision to the Petitioner.
2. On October 12, 2006, the Petitioner made a written request to the Illinois EPA for an extension of time by which to file a petition for review, asking the Illinois EPA to join in requesting that the Board extend the thirty-five day period for filing a petition by ninety days. Upon information and belief the Petitioner did receive the final decision on September 25, 2006.

3. The additional time requested by the parties may eliminate the need for a hearing in this matter or, in the alternative, allow the parties to identify issues and limit the scope of any hearing that may be necessary to resolve this matter.

WHEREFORE, for the reasons stated above, the parties request that the Board, in the interest of administrative and judicial economy, grant this request for a ninety-day extension of the thirty-five day period for petitioning for a hearing.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY



James G. Richardson
Special Assistant Attorney General

Dated: October 19, 2006

1021 North Grand Avenue, East
P.O. Box 19276
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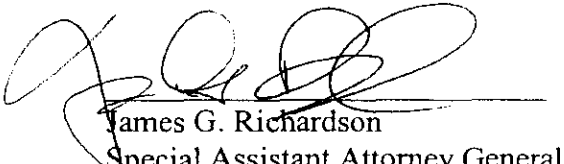
CERTIFICATE OF SERVICE

I, the undersigned attorney at law, hereby certify that on October 19, 2006 I served true and correct copies of a REQUEST FOR NINETY DAY EXTENSION OF APPEAL PERIOD by first class mail of the United States Postal Service upon the persons as follows:

Dorothy Gunn
Clerk
Illinois Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601-3218

Edward V. Walsh, III
Sachnoff & Weaver, Ltd.
10 South Wacker Drive
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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY



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