

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
)
PROPOSED EXTENSION OF ADJUSTED STANDARD)
APPLICABLE TO ILLINOIS-AMERICAN WATER)
COMPANY'S ALTON PUBLIC WATER SUPPLY)
FACILITY DISCHARGE TO THE MISSISSIPPI RIVER)

AS 2007-2
(Adjusted Standard)

RECEIVED
CLERK'S OFFICE
DEC 18 2006
STATE OF ILLINOIS
Pollution Control Board

NOTICE OF FILING

TO: Dorothy Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center
100 W. Randolph, Suite 11-500
Chicago, Illinois 60601-3218

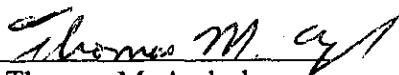
Bradley S. Hiles
Alison M. Nelson
Backwell, Sanders, Peper & Martin, LLP
720 Olive Street, 24th Floor
St. Louis, MO 63101

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

Bill Richardson, General Counsel
Department of Natural Resources
One Natural Resources Way
Springfield, Illinois 62702-1271

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the
Pollution Control Board the attached Motion for Extension of Time to File Recommendation and
Affidavit, a copy of which is herewith served upon you.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

BY: 
Thomas M. Andryk
Assistant Counsel
Division of Legal Counsel

DATED: December 15, 2006
1021 N. Grand Ave. 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

IN THE MATTER OF:)

PROPOSED EXTENSION OF ADJUSTED STANDARD)
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MOTION FOR EXTENSION OF TIME TO FILE RECOMMENDATION

NOW COMES the Illinois Environmental Protection Agency ("Illinois EPA") by one of its attorneys, Thomas M. Andryk, and moves the Hearing Officer to grant it an extension of time to file its response to Illinois-American Water Company's ("Illinois-American" or "Petitioner") Petition for Adjusted Standard, due on December 15, 2007, until February 14, 2007. In support of its request, the Illinois EPA states as follows:

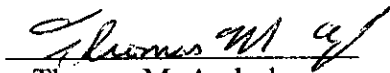
1. On October 31, 2007, Illinois-American filed a Petition for an Extension of an Adjusted Standard previously granted by the Board (with a 7-year sunset) in regards to the requirements of 35 Ill. Adm. Code Sections 302.203, 304.106, and 304.124 with the Illinois Pollution Control Board ("Board") for relief from the total dissolved solids, total iron, and offensive discharges and offensive conditions water quality and effluent limitations applicable to discharges from its drinking water plant operation located in the City of Alton, Madison County, Illinois.
2. On November 29, 2006, Illinois-American filed a Certificate of Publication with the Board pursuant to 415 ILCS 5/28.1(d)(2004) and 35 Ill. Adm. Code 104.408 and 104.410 certifying that notice of its Adjusted Standard Petition was published in the Alton Telegraph on November 4, 2006 and through and including November 7, 2006.

3. The Illinois EPA is required to respond to a Petition for Adjusted Standard within forty-five (45) days of filing pursuant to 35 Ill. Adm. Code 104.416.
4. The time required by Section 104.416 has been inadequate for the Illinois EPA to complete internal technical review of Illinois-American's Petition and finalize its Recommendation.
5. That the Petition as filed was not the same as the draft Petition discussed between representatives of Illinois EPA and Illinois-American prior to filing and further discussion of the changes has triggered additional issues that the parties met to discuss on December 14, 2006 and would wish to continue to work towards agreement on;
6. That on or about December 13, 2006, Illinois EPA learned that US EPA could have some concerns over the water quality relief portion of the Petition, and this issue will require further discussion with US EPA in the event the request for such relief is not revised to eliminate that portion of the relief pertaining to water quality standards;
5. In a telephone conversation on December 15, 2006, counsel for the Petitioner indicated it would have no objection to Illinois EPA's request for an additional sixty (60) days to respond.
6. Petitioner will suffer no prejudice should the Illinois EPA be granted an extension of time to respond to its Adjusted Standard petition.

WHEREFORE, the Illinois EPA respectfully requests that the Hearing Officer grant it an extension of time in which to respond to Illinois-American Water Company's Petition for a Proposed Extension of Adjusted Standard for an additional sixty (60) days until February 15, 2007.

Respectfully Submitted

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

BY: 
Thomas M. Andryk
Assistant Counsel
Division of Legal Counsel

DATED: December 15, 2006
1021 N. Grand Ave. East
P.O. Box 19276
Springfield, Illinois 62794-9276
(217) 782-5544

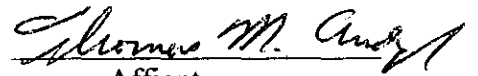
STATE OF ILLINOIS)
)
COUNTY OF SANGAMON) SS.

AFFIDAVIT

I, THOMAS M. ANDRYK, being first duly sworn upon oath, depose and state as follows:

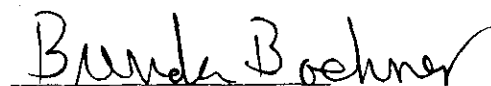
1. I am employed by the ILLINOIS ENVIRONMENTAL PROTECTION AGENCY as Assistant Counsel to the Bureau of Water.
2. As part of my duties I represent the Illinois EPA in the case IN THE MATTER OF: PROPOSED EXTENSION OF ADJUSTED STANDARD APPLICABLE TO ILLINOIS-AMERICAN WATER COMPANY'S ALTON PUBLIC WATER SUPPLY FACILITY DISCHARGE TO THE MISSISSIPPI RIVER, AS 2007-2.
3. I have prepared the Agency's Motion for Extension of Time to File Recommendation, and the contents thereof are true and correct to the best of my knowledge.
4. I contacted counsel for the Petitioner, Bradley S. Hiles, on December 15, 2006 regarding the Illinois EPA's request for an extension of time to file its Recommendation in this matter. Mr. Hiles indicated that he would not object to an extension of an additional 60 days for the Illinois EPA to respond to Illinois-American Water Company's Petition for Extension of Adjusted Standard.

FURTHER AFFIANT SAYETH NOT


Affiant

SUBSCRIBED AND SWORN TO BEFORE ME

this 15th day of December, 2006.


Notary Public

