

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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AUG 06 2007

STATE OF ILLINOIS  
Pollution Control Board

CITY OF JOLIET, )  
)  
Petitioner, )  
)  
v. )  
)  
ILLINOIS ENVIRONMENTAL PROTECTION )  
AGENCY, )  
)  
Respondents. )

PCB 07-094  
(Permit Appeal- Water)

**NOTICE OF FILING**

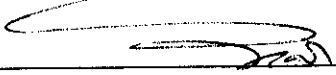
John Therriault, Acting Clerk  
Pollution Control Board  
100 West Randolph Street  
Suite 11-500  
Chicago, IL 60601

Roy M. Harsch  
Yesenia Villasenor-Rodriguez  
DrinkerBiddleGardnerCarton  
191 North Wacker Drive, Suite 3700  
Chicago, IL 60606

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

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board an original and four (4) copies, the **MOTION FOR EXTENSION OF TIME TO FILE AGENCY RECORD**, of the Illinois Environmental Protection Agency, a copy of which is herewith served upon you.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

By:   
Sanjay K. Sofat  
Assistant Counsel  
Division of Legal Counsel

Dated: August 1, 2007  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
Springfield, Illinois 62794-9276  
(217) 782-5544

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CITY OF JOLIET, )  
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 ILLINOIS ENVIRONMENTAL )  
 PROTECTION AGENCY, )  
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 Respondent. )

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**MOTION FOR EXTENSION OF TIME TO FILE AGENCY RECORD**

Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY ("Illinois EPA" or "Agency"), through its attorney, Sanjay K. Sofat, respectfully moves the Illinois Pollution Control Board ("Illinois PCB or Board") to extend the time for filing the Agency record. In support thereof, the Agency states as follows:

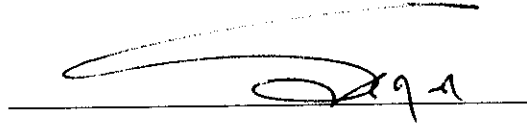
1. On February 16, 2007, the Agency issued the City of Joliet ("Petitioner") a supplemental permit, 2006-SC-4784-2 ("Permit") to construct and/or operate water pollution control facilities, which were previously approved under Permit 2006-SC-4784, dated October 5, 2006.
2. On March 21, 2007, the City of Joliet filed the petition for review of the February 16, 2007 modification of the Permit.
3. On April 19, 2007, the Board accepted the City of Joliet's petition.
4. The Agency received the copy of the City of Joliet's petition on March 26, 2007.

5. Petitioner appeals on the grounds that Special Condition 2 of the Permit is unsupported by law or fact. *Petition* at 2, ¶8.
6. The Agency filed a motion for extension of time on April 25, 2007. The Board received the Agency's motion on May 3, 2007.
7. Hearing Officer Order, dated May 3, 2007, granted the extension and set the new deadline to file the Agency's record on August 10, 2007.
8. Since the motion for extension of time to file the record, the Agency, the Illinois Emergency Management Agency ("IEMA"), and the City of Joliet have been working to resolve the sludge Permit related issues.
9. Recently, the Agency has learned that a key official responsible for making a decision on Joliet's request recently retired. Further, there is no mechanism for signature authority yet in place. As such, the Agency requests additional time to resolve the issues.
10. Accordingly, the Agency request an additional 90 days to file the Agency Record. The Agency still believes the issues raised by Petitioner in its petition can be resolved, if given additional time. Thus, it would not be prudent to file the entire record at this time.
11. The Agency has contacted the Petitioner's attorney, and Petitioner agrees to the extension of time to resolve the permit issues.

Therefore, the Agency respectfully requests the Board to extend the time for filing the Agency record for additional 90 days.

Respectfully Submitted,

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

A handwritten signature in black ink, appearing to read "Sofat", is written over a horizontal line.

Sanjay K. Sofat  
Assistant Counsel  
Division of Legal Counsel

DATED: August 1, 2007  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
Post Office Box 19276  
Springfield, Illinois 62794-9276  
(217) 782-5544

STATE OF ILLINOIS            )  
  )  
COUNTY OF SANGAMON        )                    SS

**PROOF OF SERVICE**

I, the undersigned, on oath state that I have served the attached **MOTION FOR EXTENSION OF TIME TO FILE AGENCY RECORD** upon the persons to whom it is directed, by placing a copy in an envelope addressed to:

John Therriault, Acting Clerk  
Illinois Pollution Control Board  
James R. Thompson Center  
Suite 11-500  
100 West Randolph Street  
Chicago, IL 60601

Roy M. Harsch  
Yesenia Villasenor-Rodriguez  
DrinkerBiddleGardnerCarton  
191 North Wacker Drive, Suite 3700  
Chicago, IL 60606

Bradley Halloran  
Hearing Officer  
Illinois Pollution Control Board  
100 West Randolph Street  
Suite 11-500  
Chicago, IL 60601

and mailing it from Springfield, Illinois on August 1, 2007, with sufficient postage affixed as indicated above.

*Margaret Kuley*

**SUBSCRIBED AND SWORN TO BEFORE ME**

this day of August 1, 2007.



*Brenda Boehner*

Notary Public

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