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AUG 31 2009

OFFICE OF THE ATTORNEY GENERAL, STATE OF ILLINOIS  
STATE OF ILLINOIS  
Pollution Control Board

**Lisa Madigan**  
ATTORNEY GENERAL

August 27, 2009

John T. Therriault, Assistant Clerk  
Illinois Pollution Control Board  
James R. Thompson Center, Ste. 11-500  
100 West Randolph  
Chicago, Illinois 60601

Re: ***People v. Gary Simmons, individually, and Lawrence County Disposal Centre, Inc., an Illinois corporation, PCB No. 06-159***

Dear Clerk:

Enclosed for filing please find the original and ten copies of a MOTION FOR EXTENSION OF TIME TO SUBMIT CALCULATIONS ON TIME USE VALUE OF \$118,421.90 and AFFIDAVIT OF ATTORNEY FEES in regard to the above-captioned matter. Please file the originals and return file-stamped copies to me in the enclosed, self-addressed envelope.

Thank you for your cooperation and consideration.

Very truly yours,

A handwritten signature in cursive script that reads "Phillip McQuillan".

Phillip McQuillan  
Environmental Bureau  
500 South Second Street  
Springfield, Illinois 62706  
(217) 782-9031

PM/pjk  
Enclosures

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS, )  
)  
Complainant, )  
)  
v. )  
)  
GARY SIMMONS, individually, and )  
LAWRENCE COUNTY DISPOSAL )  
CENTRE, INC., an Illinois corporation, )  
)  
Respondents. )

PCB NO. 06-159  
(Enforcement)

NOTICE OF FILING

To. Gary Simmons  
2101 South Sievers Road  
Vincennes, IN 47591

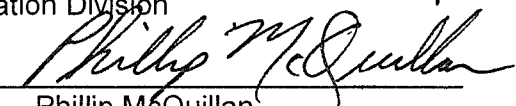
Lawrence County Disposal Centre, Inc.  
C/o National Registered Agents, Inc.  
200 West Adams Street  
Chicago, IL 60606

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STATE OF ILLINOIS  
Pollution Control Board

PLEASE TAKE NOTICE that on this date I mailed for filing with the Clerk of the Pollution Control Board of the State of Illinois, a MOTION FOR EXTENSION OF TIME TO SUBMIT CALCULATIONS ON TIME USE VALUE OF \$118,421.90 and AFFIDAVIT OF ATTORNEY FEES, a copy of which is attached hereto and herewith served upon you.

Respectfully submitted,  
PEOPLE OF THE STATE OF ILLINOIS  
LISA MADIGAN  
Attorney General of the  
State of Illinois

MATTHEW J. DUNN, Chief  
Environmental Enforcement/Asbestos  
Litigation Division

BY:   
Phillip McQuillan  
Assistant Attorney General  
Environmental Bureau

500 South Second Street  
Springfield, Illinois 62706  
217/782-9031  
Dated: August 27, 2009

**CERTIFICATE OF SERVICE**

I hereby certify that I did on August 27, 2009, send by First Class Mail, with postage thereon fully prepaid, by depositing in a United States Post Office Box a true and correct copy of the following instrument entitled MOTION FOR EXTENSION OF TIME TO SUBMIT CALCULATIONS ON TIME USE VALUE OF \$118,421.90 and AFFIDAVIT OF ATTORNEY FEES

To: Gary Simmons  
2101 South Sievers Road  
Vincennes, IN 47591

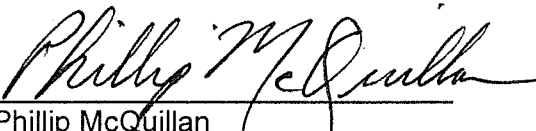
Lawrence County Disposal Centre, Inc.  
C/o National Registered Agents, Inc.  
200 West Adams Street  
Chicago, IL 60606

and the original and ten copies by First Class Mail with postage thereon fully prepaid of the same foregoing instrument:

To: John T. Therriault, Assistant Clerk  
Illinois Pollution Control Board  
State of Illinois Center  
Suite 11-500  
100 West Randolph  
Chicago, IL 60601

A copy was also sent by First Class Mail with postage thereon fully prepaid

To: Carol Webb  
Hearing Officer  
Illinois Pollution Control Board  
1021 North Grand Avenue East  
Springfield, IL 62794

  
Phillip McQuillan  
Sr. Assistant Attorney General

This filing is submitted on recycled paper.

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS, )  
ex rel. LISA MADIGAN, Attorney General )  
of the State of Illinois, )

Complainant, )

v. )

GARY SIMMONS, individually, and )  
LAWRENCE COUNTY DISPOSAL CENTRE, )  
INC., an Illinois corporation, )

Respondent. )

NO. 06-159  
(Enforcement)

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AUG 31 2009

STATE OF ILLINOIS  
Pollution Control Board

MOTION FOR EXTENSION OF TIME TO SUBMIT  
CALCULATIONS ON TIME USE VALUE OF \$118,421.90

Complainant, PEOPLE OF THE STATE OF ILLINOIS, by LISA MADIGAN, Attorney General of the State of Illinois, and pursuant to 35 Ill. Adm. Code Sections 101.502, 101.422 and 101.610(n), requests that the Illinois Pollution Control Board grant Complainant's Motion for Extension of Time to Submit Calculations on Time Use Value of \$118,421.90. In support of this Motion, Complainant states as follows:

1. On or about July 23, 2009, in an INTERIM OPINION AND ORDER OF THE BOARD, the Board ordered Complainant to perform the necessary calculations, with explanations of how they are reached, as to the time use value of \$118,421.90, to be filed within 35 days, that is on or before August 27, 2009.

2. Complainant has attempted to locate a mathematical formula to submit the necessary calculations to the Board, but Complainant has been unable to locate an applicable mathematical formula to date.

3. Now that Illinois colleges and universities are back in session, the undersigned

intends to contact math and business departments at various schools to ask for assistance in completing this task.

4. The purpose of this motion for extension of time is not to cause delay; the purpose is to adequately comply with the Board's Order.

5. The granting of this motion will not prejudice the parties, but will serve the ends of justice.

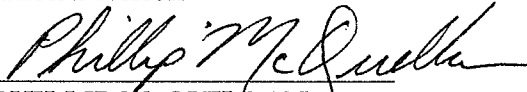
WHEREFORE, for the above and foregoing reasons, Complainant, PEOPLE OF THE STATE OF ILLINOIS, respectfully requests that the Illinois Pollution Control Board grant this Motion for Extension of Time, and allow the Complainant an extension of time for 30 days, or until September 26, 2009, in which to submit its calculations on time use value of \$118,421.90 to the Illinois Pollution Control Board in compliance with the Interim Opinion and Order of the Board.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS,

LISA MADIGAN,  
Attorney General  
of the State of Illinois,

MATTHEW J. DUNN, Chief  
Environmental Enforcement/Asbestos  
Litigation Division

BY:   
PHILLIP McQUILLAN  
Assistant Attorney General

500 South Second Street  
Springfield, Illinois 62706  
217/782-9031  
Dated: August 26, 2009

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

**PEOPLE OF THE STATE OF ILLINOIS,** )  
**ex rel. LISA MADIGAN, Attorney General** )  
**of the State of Illinois,** )  
) )  
**Complainant,** )  
) )  
**v.** )  
) )  
**GARY SIMMONS, individually, and** )  
**LAWRENCE COUNTY DISPOSAL CENTRE,** )  
**INC., an Illinois corporation,** )  
) )  
**Respondent.** )

**NO. 06-159**  
**(Enforcement)**

**AFFIDAVIT OF ATTORNEY FEES**

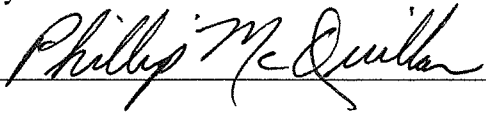
I, Phillip McQuillan, pursuant to Section 1-109 of the Code of Civil Procedure, 735 ILCS 5/1-109 (2008), regarding the above captioned case, state as follows:

1. I am a duly licensed as an attorney in the State of Illinois.
2. I work for the Office of Attorney General, State of Illinois.
3. The details of the work herein are as follows:

<b>Date</b>	<b>Description of Work</b>	<b>Hours at \$140.00/Hr</b>	<b>Amount</b>
02/08/06	Draft Complaint	3.5	\$490.00
08/03/07	Deposition of Mr. Simmons	1.0	140.00
10/29/08	Hearing	2.0	280.00
12/04/08	Begin Complainant's Brief	2.0	280.00
12/09/08	Complete Complainant's Brief	2.5	<u>350.00</u>
	<b>Total</b>		<b>\$1,540.00</b>

4. The undersigned submits that the aforementioned work performed was necessary and reasonable.

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.

A handwritten signature in cursive script, reading "Phillip McQuillan", is written over a horizontal line.

Phillip McQuillan

Phillip McQuillan #5122873  
500 South Second Street  
Springfield, Illinois 62706  
217/782-9031  
Dated: August 26, 2009

