

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

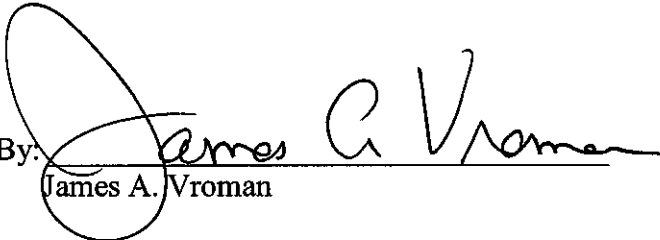
PEOPLE OF THE STATE OF ILLINOIS,)
)
 Complainant,)
)
 v.)
)
 FREEMAN UNITED COAL MINING)
 COMPANY, LLC,)
 a Delaware limited liability company, and)
 SPRINGFIELD COAL COMPANY, LLC,)
 a Delaware limited liability company,)
)
 Respondents.)

**PCB NO. 10-061
(Water Enforcement)**

NOTICE OF ELECTRONIC FILING

To: See Attached Service List

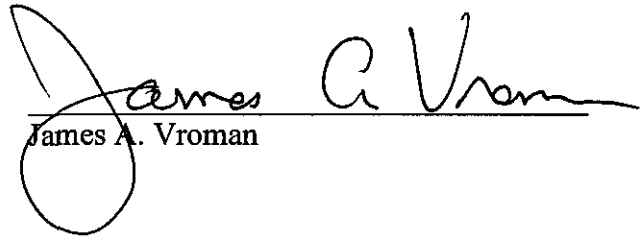
PLEASE TAKE NOTICE that on April 12, 2010, I electronically filed with the Clerk of the Pollution Control Board of the State of Illinois, FREEMAN UNITED COAL MINING COMPANY, LLC'S MOTION FOR AN EXTENSION OF TIME TO ANSWER OR OTHERWISE RESPOND, a copy of which is attached hereto and herewith served upon you.

By: 
 James A. Vroman

James A. Vroman
 Jenner & Block LLP
 Attorney for Respondent
 Freeman United Coal Mining Company, LLC,
 a Delaware limited liability company
 353 N. Clark Street
 Chicago, IL 60654-3456
 312/923-2836

CERTIFICATE OF SERVICE

NOW COMES the Respondent, Freeman United Coal Mining Company, LLC, a Delaware limited liability company, and through its attorneys, and pursuant to the Board's procedural rules, provides proof of service of the attached FREEMAN UNITED COAL MINING COMPANY, LLC'S MOTION FOR AN EXTENSION OF TIME TO ANSWER OR OTHERWISE RESPOND and NOTICE OF ELECTRONIC FILING upon the parties listed on the attached Service List, by having a true and correct copy affixed with proper postage placed in the U.S. Mail at Jenner & Block LLP, 353 North Clark Street, Chicago, IL 60654-3456, at or before 5:00 p.m., on April 12, 2010.



James A. Vroman

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Attorney for Respondent
Freeman United Coal Mining Company, LLC,
a Delaware limited liability company
353 N. Clark Street
Chicago, IL 60654-3456
312/923-2964

Dated: April 12, 2010

SERVICE LIST

Carol Webb
Hearing Officer
Illinois Pollution Control Board
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Springfield, IL 62794

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Springfield, IL 62706

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Chicago, IL 60601

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB NO. 10-061
)	(Water Enforcement)
FREEMAN UNITED COAL MINING)	
COMPANY, LLC,)	
a Delaware limited liability company, and)	
SPRINGFIELD COAL COMPANY, LLC,)	
a Delaware limited liability company,)	
)	
Respondents.)	

**MOTION FOR AN EXTENSION OF
TIME TO ANSWER OR OTHERWISE RESPOND**

NOW COMES Respondent FREEMAN UNITED COAL MINING COMPANY, LLC (“Freeman United”), by and through its attorneys, and respectfully requests that this Board grant an extension of time up to, and including, June 16, 2010, to Answer or otherwise respond to the complaint. In support of this Motion, the Respondent states as follows:

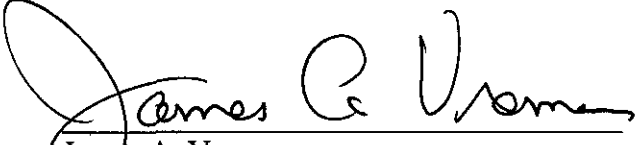
1. This matter arose from a complaint filed by Complainant, the People of the State of Illinois (the “People”), alleging various water violations from Respondent Freeman United’s past activities at the Industry Coal Mine.
2. Respondent Freeman United was served with this complaint on or about February 16, 2010.
3. Freeman United requests an extension of time for approximately 60 days, until June 16, 2010, to Answer or otherwise respond.
4. Freeman United requests this extension to allow for discussion of settlement of this matter with the People. This extension is necessary because, to date, the People have not

determined a penalty demand and/or conveyed that demand to Freeman United. Accordingly, Freeman United requests an additional 60 days to answer or otherwise respond to the complaint. This extension of time will provide for up to 30 days for the People to produce such a penalty demand and 30 days for Freeman United to review and respond to that demand.

5. If the People do not produce a penalty demand within 30 days, Freeman United may seek additional extensions of time.

6. The People do not object to the granting of this motion.

WHEREFORE, Respondent Freeman United respectfully requests that this Board grant it an extension of time up to, and including, June 16, 2010, in which to Answer or otherwise respond to the State's complaint.



James A. Vroman

James A. Vroman
Bill S. Forcade
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312/923-2836

Dated: April 12, 2010