

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY)	
)	
Complainant,)	
)	
v.)	AC 2012-051
)	(IEPA No. 87-12-AC)
NORTHERN ILLINOIS)	(Administrative Citation)
SERVICE COMPANY,)	
)	
Respondent.)	

NOTICE

John T. Therriault
Assistant Clerk
Illinois Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601-3218

Peter DeBruyne
Peter DeBruyne, P.C.
838 North Main Street
Rockford, IL 61103

Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601-3218

PLEASE TAKE NOTICE that I have today caused to be filed a MOTION TO EXTEND DISPOSITIVE MOTION SCHEDULE with the Illinois Pollution Control Board, a copy of which is served upon you.

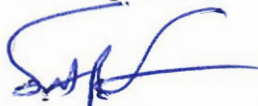
Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Dated: January 13, 2014

Scott B. Sievers
Attorney Registration No. 6275924
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276
(217) 782-5544

Complainant,



BY: _____
Scott B. Sievers
Special Assistant Attorney General

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY)	
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MOTION TO EXTEND DISPOSITIVE MOTION SCHEDULE

NOW COMES the Complainant, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY (“Illinois EPA”), by and through its counsel, Special Assistant Attorney General Scott B. Sievers, and, pursuant to 35 Ill. Adm. Code 101.500, moves the Hearing Officer to extend the dispositive motion schedule in this action. In support, the Complainant states the following:

1. On December 12, 2013, the Hearing Officer entered an Order providing that dispositive motions were to be filed by January 13, 2014, with responses to be filed by February 12, 2014.

2. On the morning of January 9, 2014, the undersigned attempted to contact the Illinois EPA inspector in this matter, Donna Shehane, to arrange for her to review a draft of Complainant’s motion for summary judgment as well as to review and sign an affidavit. The undersigned learned at that time that Inspector Shehane was on leave from January 9 through January 27 to attend to her sister out of state while she prepares for and undergoes surgery at the Mayo Clinic in Rochester, Minnesota for cancer. Inspector Shehane herself only learned about the matter a week earlier.

3. The affidavit is particularly important to the Complainant’s motion, as only Inspector Shehane has personal knowledge about certain matters. The undersigned inquired of Inspector

Shehane's supervisor whether she might be reachable by telephone, facsimile, or e-mail while on leave, but was told otherwise. Inspector Shehane is expected to return to the office on January 28, 2014.

4. The Complainant respectfully requests that the deadline for the filing of dispositive motions be extended from January 13, 2014 to February 14, 2014 to provide additional time for Inspector Shehane to return to the office and review and sign an affidavit in support of Complainant's motion for summary judgment.

5. The Complainant further requests that the deadline for responses to dispositive motions be extended from February 12, 2014 to March 31, 2014 to provide ample time to opposing counsel after returning from vacation to respond to Complainant's summary judgment motion.

6. The undersigned has conferred with opposing counsel, and opposing counsel has no objection to Complainant's motion.

WHEREFORE, the Complainant, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, moves the Hearing Officer to extend the deadline for dispositive motions to February 14, 2014 and the deadline for responses to March 31, 2014.

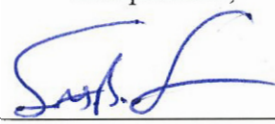
Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Dated: January 13, 2014

Scott B. Sievers
Attorney Registration No. 6275924
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276
(217) 782-5544

Complainant,

BY: 

Scott B. Sievers
Special Assistant Attorney General

Illinois Environmental Protection Agency v. Northern Illinois Service Company
Pollution Control Board No. AC 2012-051

CERTIFICATE OF SERVICE

Scott B. Sievers, Special Assistant Attorney General, herein certifies that he has served a copy of the foregoing **MOTION TO EXTEND DISPOSITIVE MOTION SCHEDULE** upon:

John Therriault
Assistant Clerk
Illinois Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601-3218

Peter DeBruyne
Peter DeBruyne, P.C.
838 North Main Street
Rockford, IL 61103

Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601-3218

by mailing true copies thereof to the addresses referred to above in envelopes duly addressed bearing proper first class postage and deposited in the United States mail at Springfield, Illinois, on January 13, 2014.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Dated: January 13, 2014

Scott B. Sievers
Attorney Registration No. 6275924
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276
(217) 782-5544

Complainant,

BY:



Scott B. Sievers
Special Assistant Attorney General