

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

DISTRESSED PROPERTIES, INC.,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 15-108
	)	(UST Appeal)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

**NOTICE**

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

Elizabeth S. Harvey  
Swanson, Martin & Bell, LLP  
330 North Wabash  
Suite 3000  
Chicago, Illinois 60611

Bradley P. Halloran  
Hearing Officer  
Illinois Pollution Control Board  
James R. Thompson Center, Suite 11-500  
100 W. Randolph Street  
Chicago, Illinois 60601

PLEASE TAKE NOTICE that I have today caused to be filed a MOTION FOR EXTENSION OF TIME TO FILE ADMINISTRATIVE RECORD with the Illinois Pollution Control Board, a copy of which is served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY,

Respondent,

Dated: May 4, 2015

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

BY: **s/Scott B. Sievers**  
Scott B. Sievers  
Special Assistant Attorney General

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

DISTRESSED PROPERTIES, INC.,	)	
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Petitioner,	)	
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v.	)	PCB 15-108
	)	(UST Appeal)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

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

NOW COMES the Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, by and through its attorney, Special Assistant Attorney General Scott B. Sievers, and, pursuant to 35 Ill. Adm. Code 101.300(a), 105.106, and 105.116 for Respondent’s Motion for Extension of Time to File Administrative Record states the following:

1. On April 16, 2015, this honorable Board ordered the Respondent to “file the entire record of its determination by May 2, 2015, which is 30 days after the Board received petitioner’s petition.”

2. Section 101.300(a) of this Board’s rules provides, in pertinent part, that the “[c]omputation of any period of time prescribed in the Act, other applicable law, or this Subpart will begin with the first calendar day following the day on which the act, event or development occurs and will run until the close of business on the last day, **or the next business day if the last day is a Saturday**, Sunday or national or State legal holiday.” 35 Ill. Adm. Code 101.300(a) (emphasis added).

3. The Respondent moves this Board to take judicial notice that May 2, 2015 was a Saturday, and that the next business day is Monday, May 4, 2015, the date of this motion.

4. Section 105.116(a) of this Board's rules provides, in pertinent part, that "[i]f the State agency wishes to seek additional time to file the record, it must file a request for extension before the date on which the record is due to be filed." 35 Ill. Adm. Code 105.116(a).

5. Due to the press of other agency business, the undersigned has not had the opportunity yet to review the substantial volume of records provided to him less than a week ago by the Respondent's Bureau of Land Leaking Underground Storage Tank Section for consideration for inclusion in the administrative record in this matter.

6. To provide the undersigned with the additional time necessary to review the aforementioned records for possible inclusion in the administrative record and to then prepare the administrative record for filing, the Respondent seeks a ten (10) day extension of the time to file the administrative record in this action.

WHEREFORE, the Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, prays that this honorable Board or the honorable Hearing Officer ALLOW the Respondent's MOTION FOR EXTENSION OF TIME TO FILE ADMINISTRATIVE RECORD and extend the time for the Respondent to file the administrative record in this action by ten (10) days.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY,

Respondent,

Dated: May 4, 2015

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

BY: s/Scott B. Sievers  
Scott B. Sievers  
Special Assistant Attorney General

**Distressed Properties, Inc. v. Illinois Environmental Protection Agency**  
**Pollution Control Board No. 15-108**

**CERTIFICATE OF SERVICE**

Scott B. Sievers, Special Assistant Attorney General, herein certifies that he has served a copy of the foregoing MOTION FOR EXTENSION OF TIME TO FILE ADMINISTRATIVE RECORD upon:

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

Elizabeth S. Harvey  
Swanson, Martin & Bell, LLP  
330 North Wabash  
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Chicago, Illinois 60611

Bradley P. Halloran  
Hearing Officer  
Illinois Pollution Control Board  
James R. Thompson Center, Suite 11-500  
100 W. Randolph Street  
Chicago, Illinois 60601

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 May 4, 2015.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY,

Dated: May 4, 2015

Respondent,

Scott B. Sievers  
Attorney Registration No. 6275924  
1021 North Grand Avenue East  
P.O. Box 19276  
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BY: **s/Scott B. Sievers**  
Scott B. Sievers  
Special Assistant Attorney General