

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 15-112
)	(Enforcement - Air)
INCOBRASA INDUSTRIES, LTD.,)	
an Illinois corporation,)	
)	
Respondent.)	

NOTICE OF FILING

TO: John T. Therriault	Carol Webb, Esq.
Clerk of the Board	Hearing Officer
Illinois Pollution Control Board	Illinois Pollution Control Board
James R. Thompson Center	1021 North Grand Avenue East
100 West Randolph, Suite 11-500	Post Office Box 19274
Chicago, Illinois 60601	Springfield, Illinois 62794-9274
(VIA ELECTRONIC MAIL)	(VIA U.S. MAIL)

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board the **ENTRY OF APPEARANCE OF N. LADONNA DRIVER, ENTRY OF APPEARANCE OF MATTHEW C. READ**, and INCOBRASA INDUSTRIES, LTD.'s **MOTION FOR EXTENSION OF TIME TO FILE AN ANSWER**, copies of which are herewith served upon you.

Respectfully submitted,
INCOBRASA INDUSTRIES, LTD.,
Petitioner,

Dated: January 28, 2015

By: /s/ Matthew C. Read
One of Its Attorneys

N. LaDonna Driver
Matthew C. Read
HODGE DWYER & DRIVER
3150 Roland Avenue
Post Office Box 5776
Springfield, Illinois 62705-5776
(217) 523-4900

CERTIFICATE OF SERVICE

I, Matthew C. Read, the undersigned, hereby certify that I have served the attached ENTRY OF APPEARANCE OF N. LADONNA DRIVER, ENTRY OF APPEARANCE OF MATTHEW C. READ, and INCOBRASA INDUSTRIES, LTD.'s MOTION FOR EXTENSION OF TIME TO FILE AN ANSWER upon:

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

via electronic mail on January 28, 2015; and upon:

Carol Webb, Esq.
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
Post Office Box 19274
Springfield, Illinois 62794-9274

Ryan G. Rudich
Assistant Attorney General
69 West Washington Street, Suite 1800
Chicago, Illinois 60602

by depositing said documents in the United States Mail, postage prepaid, in Springfield,

Illinois on January 28, 2015.

/s/ Matthew C. Read
Matthew C. Read

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ENTRY OF APPEARANCE OF N. LADONNA DRIVER

NOW COMES N. LaDonna Driver, of the law firm of HODGE DWYER & DRIVER, and hereby enters her appearance on behalf of INCOBRASA INDUSTRIES, LTD., in the above-referenced matter.

Respectfully submitted,

By: /s/ N. LaDonna Driver
N. LaDonna Driver

Dated: January 28, 2015

N. LaDonna Driver
HODGE DWYER & DRIVER
3150 Roland Avenue
Post Office Box 5776
Springfield, Illinois 62705-5776
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ENTRY OF APPEARANCE OF MATTHEW C. READ

NOW COMES Matthew C. Read, of the law firm of HODGE DWYER & DRIVER, and hereby enters his appearance on behalf of INCOBRASA INDUSTRIES, LTD., in the above-referenced matter.

Respectfully submitted,

By: /s/ Matthew C. Read
Matthew C. Read

Dated: January 28, 2015

Matthew C. Read
HODGE DWYER & DRIVER
3150 Roland Avenue
Post Office Box 5776
Springfield, Illinois 62705-5776
(217) 523-4900

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MOTION FOR EXTENSION OF TIME TO FILE AN ANSWER

NOW COMES Respondent, INCOBRASA INDUSTRIES, LTD. (hereinafter “Incobrasa”), by and through its attorneys, HODGE DWYER & DRIVER and hereby moves the Hearing Officer or Illinois Pollution Control Board (“Board”) in this matter to enter an Order granting Respondent, Incobrasa, an additional 60 days, until April 21, 2015, to file its Answer. In support of this Motion, Incobrasa states as follows:

1. “The Board or hearing officer, for good cause shown on a motion after notice to the opposite party, may extend the time for filing any document or doing any act which is required by these rules to be done within a limited period, either before or after the expiration of time.” 35 Ill. Admin. Code § 101.522.

2. On December 19, 2014, the Attorney General of the State of Illinois (“Complainant”), on her own motion, and at the request of the Illinois Environmental Protection Agency, filed a Complaint against Incobrasa in the above-captioned matter, alleging violations of the Illinois Environmental Protection Act, the Board’s Regulations, the Code of Federal Regulations, conditions of Incobrasa’s Clean Air Act Permit

Program permit, and conditions of a construction permit. The allegations relate to the operation of Incobrasa's soybean processing and biodiesel facility located at 540 East US Highway 24, Gilman, Illinois.

3. Incobrasa received the Complaint on December 22, 2014. Therefore, its current deadline to file an Answer is February 20, 2015.

4. On January 8, 2015, the Board accepted the Complaint for hearing.

5. Incobrasa has engaged in meaningful settlement discussions with the Complainant in an effort to resolve this matter. Incobrasa requests an additional 60 days, until April 21, 2015, to file its Answer to allow the parties to continue settlement discussions and attempt to reach a resolution in this matter.

6. By resolving this matter through settlement, the parties would preserve valuable Board resources.

7. Incobrasa has conferred with the Complainant regarding the filing of this Motion for Extension of Time to File an Answer, and Complainant has agreed to a 60 day extension of time to file an Answer in this matter.

8. For the reasons stated above, good cause exists under 35 Ill. Admin. Code § 101.522 to grant the extension of time requested by Incobrasa to file an Answer.

WHEREFORE, Respondent, INCOBRASA INDUSTRIES, LTD., respectfully moves the Hearing Officer or Board to grant its Motion for Extension of Time to File an Answer and extend the answer deadline 60 days, until April 21, 2015.

Respectfully submitted,

INCOBRASA INDUSTRIES, LTD. an
Illinois Corporation,
Respondent,

By: /s/ Matthew C. Read
Matthew C. Read

Dated: January 28, 2015

N. LaDonna Driver
Matthew C. Read
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