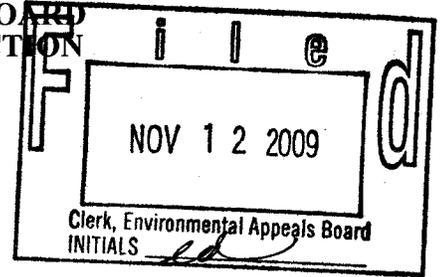


BEFORE THE ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.



In re:

MGP Ingredients of Illinois, Inc.

Permit No. 07030058

PSD Appeal No. 09-03

**ORDER GRANTING MOTION FOR EXTENSION  
OF TIME TO FILE RESPONSE TO PETITION FOR REVIEW**

On October 21, 2009, the Environmental Appeals Board ("Board") established a November 12, 2009 deadline for the Illinois Environmental Protection Agency ("IEPA") to file its response to Sierra Club's petition in the above-captioned matter. Order Establishing Filing Deadlines for Certified Index of Administrative Record and Illinois Environmental Protection Agency's Response Brief (Oct. 21, 2009). By motion dated November 10, 2009, IEPA moves for an extension of time, until December 18, 2009, to file the response to the petition for review. Motion for Extension of Time to File Response to Petition for Review (Nov. 10, 2009) ("Motion").

In support of the Motion, IEPA states that it is unable to file its response to the petition on November 12, 2009, "due to the complexity of the issues involved in this matter" and a recent three-week absence from the office by IEPA's primary counsel contact for the matter. Motion at 2. In light of IEPA's representations, the Motion is granted. IEPA's response to the petition for review must

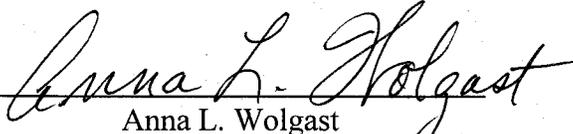
now be filed with the Board no later than **Friday, December 18, 2009.**<sup>1</sup> Further requests for extensions of time in which to file the response will not be granted.

So ordered.

Dated:  
November 12, 2009

ENVIRONMENTAL APPEALS BOARD

By:

  
Anna L. Wolgast  
Environmental Appeals Judge

---

<sup>1</sup> Documents are considered filed on the date they are received by the Board, either by hand-delivery/courier or by U.S. Mail. Environmental Appeals Board, U.S. EPA, *Practice Manual 11* (June 2004), available at <http://www.epa.gov/eab/pmanual.pdf>; see also *In re Gateway Generating Station*, PSD Appeal No. 09-02, at 3 n.5 (EAB Sept. 15, 2009) (Order Dismissing Petition for Review). As of this time, electronic submissions are not treated as filed.

## CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Granting Motion for Extension of Time to File Response to Petition for Review in the matter of *MGP Ingredients of Illinois, Inc.*, PSD Appeal No. 09-03, were sent to the following persons in the manner indicated:

**By U.S. First Class Mail and Facsimile:**

Gerald T. Karr  
Office of the Attorney General, State of Illinois  
Environmental Bureau  
69 West Washington St., Suite 1800  
Chicago, IL 60602  
Fax: (312) 814-2347

David C. Bender  
McGillivray Westerberg & Bender LLC  
305 S. Paterson St.  
Madison, WI 53703  
Fax: (608) 310-3561

James Gignac  
Sierra Club  
70 East Lake St., Suite 1500  
Chicago, IL 60601  
Fax: (312) 251-1780

Bruce Nilles  
Sierra Club  
408 C St., NE  
Washington, DC 20002  
Fax: (202) 547-6009

Date: NOV 13 2009

  
Annette Duncan  
Secretary