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

SEP 26 AM 8:12  
ENVIR. APPEALS BOARD

IN THE MATTER OF: )  
 )  
CONOCOPHILLIPS WOOD RIVER REFINERY ) PSD APPEAL NO. 07-02  
I.D. NO. 119090AAA )  
PERMIT APPLICATION NO. 06050052 )

**NOTICE**

PLEASE TAKE NOTICE that I have today sent, by UPS, to the Clerk of the Environmental Appeals Board an **APPEARANCE, MOTION FOR EXTENSION OF TIME TO FILE RESPONSE** and the **PARTIAL RESPONSE TO PETITION** on behalf of the Respondent, **ILLINOIS ENVIRONMENTAL PROTECTION AGENCY**, a copy of which is herewith served upon each of the representatives identified in the attached service list.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY,

*Sally Carter*  
\_\_\_\_\_  
Sally Carter  
Assistant Counsel  
Division of Legal Counsel

Date: September 25, 2007  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, IL 62794-9276  
217/782-5544

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PERMIT APPLICATION NO. 06050052 )  
)

**APPEARANCE**

The undersigned, as one of its attorneys, hereby enters her APPEARANCE on behalf of Respondent, Illinois Environmental Protection Agency, in the above-captioned matter.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY,



Sally Carter  
Assistant Counsel  
Division of Legal Counsel

Date: September 25, 2007  
Illinois Environmental Protection Agency  
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WASHINGTON, D.C.

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2007 SEP 26 AM 8:42

ENVIR. APPEALS BOARD

IN THE MATTER OF: )  
)  
CONOCOPHILLIPS WOOD RIVER REFINERY ) PSD APPEAL NO. 07-02  
I.D. NO. 119090AAA )  
PERMIT APPLICATION NO. 06050052 )  
)

**MOTION FOR EXTENSION OF TIME**  
**TO FILE RESPONSE**

NOW COMES the Respondent, the ILLINOIS ENVIRONMENTAL PROTECTION AGENCY ("Illinois EPA"), by and through its attorney, and moves the ENVIRONMENTAL APPEALS BOARD ("Board") for an extension of time to file a full Response, together with an accompanying Certified Index of the Administrative Record, to the Petition for Review (hereinafter "Petition") filed by the Petitioners, NATURAL RESOURCES DEFENSE COUNCIL *et al.*, in the above-referenced cause.

1. Petitioners filed their Petition with the Board on August 21, 2007.
2. Based on information known to the Illinois EPA attorney involved in this case, the Illinois EPA has not received service of the Petition from Petitioners. However, a copy of the Petition and attached exhibits was received from the Board, together with the Board's initial order requesting a response to the Petition on August 28, 2007.
3. By the instructions contained in the Board's cover letter to the order, the Illinois EPA was requested to file a formal Response to the Petition, including any relevant excerpts from the administrative record. If summary disposition was being sought, the Response was due with the Board by no later than September 11, 2007. If a

more detailed response to the merits of the petition is being sought, the Response is due with the Board by no later than September 26, 2007. At this juncture, the Illinois EPA anticipates that several issues will be addressed with a detailed response to their respective merits.

4. The undersigned attorney was assigned the responsibilities for handling this case matter on or about August 21, 2007, but has been unable to devote any substantial time or resources to the Illinois EPA's Response due to the press of other case assignments and a previously-scheduled two week vacation. As a result of prior time commitments, the undersigned attorney is not familiar, with any particularity, with several of the different issues raised by Petitioners in their appeal.

5. The attorney for the Illinois EPA foresees the need for considerable legal research, as well as extensive collaboration with the Illinois EPA's technical staff, to fully address the issues raised in the Petition.

6. As a result of the breadth of the issues raised in the Petition, particularly with respect to the flaring issue, the anticipated resources that will be required to prepare the Illinois EPA's full Response, and the current caseload maintained by the assigned attorney, the Illinois EPA expects that this effort will require several more weeks beyond time normally authorized by the Board.

7. For the reasons stated above, the Illinois EPA formally requests an extension of time of approximately 50 days from September 26, 2007, in which to file its formal Response with the Board.


8. The granting of this extension of the filing date will ensure that the

Response will fully address all of the technical issues raised by the Petitioners in their appeal.

9. An extension of this time period will not result in any hardship or prejudice to the Petitioners.

WHEREFORE, the Illinois EPA respectfully requests that the Board grant this Motion for Extension of Time to File Response and thereby allow the filing of the full Response to be served with the Board no later than Thursday, November 15, 2007.

Respectfully submitted,

  
\_\_\_\_\_  
Sally A. Carter  
Assistant Counsel  
Division of Legal Counsel

Dated: September 25, 2007  
Illinois Environmental Protection Agency  
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P.O. Box 19276  
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