

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)	
)	AS 19-002
Petition of Emerald Polymer)	
Additives, LLC for an Adjusted)	(Adjusted Standard)
Standard from 35 Ill. Adm. Code)	
304.122(b))	

To: See attached service list.

NOTICE OF ELECTRONIC FILING

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board the Illinois Environmental Protection Agency's MOTION FOR EXTENSION OF TIME TO FILE A RECOMMENDATION, for the above-captioned proceeding, a copy of which is herewith served upon you.

Respectfully submitted,

Dated: May 16, 2019

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Rex L. Gradeless, #6303411
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276
(217) 782-5544
Rex.Gradeless@Illinois.gov

Respondent,

BY: /s/Rex L. Gradeless
Rex L. Gradeless

THIS FILING IS SUBMITTED ON RECYCLED PAPER

SERVICE LIST

EMERALD POLYMER ADDITIVES, LLC

Thomas W. Dimond

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ICE MILLER LLP

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Chicago, Illinois 60606

ILLINOIS POLLUTION CONTROL
BOARD

Don Brown, Clerk

James R. Thompson Center

100 W. Randolph, Suite 11-500

Chicago, IL 60601

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
) AS 19-002
Petition of Emerald Polymer)
Additives, LLC for an Adjusted) (Adjusted Standard)
Standard from 35 Ill. Adm. Code)
304.122(b))

MOTION FOR EXTENSION OF TIME
TO FILE A RECOMMENDATION

NOW COMES the Illinois Environmental Protection Agency (hereafter "Illinois EPA"), by and through its counsel, and pursuant 35 Ill. Adm. Code 101.522, hereby requests the Hearing Officer grant the Illinois EPA a 60-day extension of time to file a recommendation in the above-captioned proceeding. In support thereof, the following statements are made:

1. On April 3, 2019, Emerald Polymer Additives, LLC ("Petitioner") filed a Petition for Adjusted Standard ("Petition") seeking relief from the discharge prohibition of effluent containing more than 3.0 mg/L of total ammonia nitrogen as N found in 35 Ill. Admin Code 304.122(b).

2. Additionally, on April 3, 2019, Petitioner filed a Motion to Incorporate the Record of AS-02-5 and AS-13-2. Illinois EPA has no objection to Petitioner's motion to incorporate.

3. Under 35 Ill. Adm. Code 104.416, Illinois EPA's recommendation is due 45 days after the filing of the Petition, Saturday, May 18, 2019.

4. Saturday, May 18, 2019, falls on a weekend. Pursuant to 35 Ill. Adm. Code 101.300, Illinois EPA's recommendation is due on the next business day, Monday, May 20, 2019.

5. Technical staff from the Illinois EPA have been reviewing Petitioner's approximately 385-page Petition and the exhibits attached thereto.

6. To formulate its recommendation, technical staff from the Illinois EPA require additional time to review, *inter alia*, the items submitted by the Petitioner attached to the Petition and items submitted to the Illinois EPA since an adjusted standard was last granted by the Board.

7. Undersigned counsel has confirmed with Petitioner's counsel that Petitioner has no objection to Illinois EPA's 60-day motion for an extension of time to file its recommendation.

8. A 60-day extension from Monday, May 20, 2019, is Friday, July 19, 2019.

WHEREFORE, for the reasons stated herein, the Illinois EPA respectfully requests that the Hearing Officer grant Illinois EPA's MOTION FOR EXTENSION OF TIME TO FILE A RECOMMENDATION, and order that the Illinois EPA's filing deadline for a recommendation is extended until Friday, July 19, 2019.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Respondent,

BY: /s/Rex L. Gradeless
Rex L. Gradeless

Dated: May 16, 2019

Rex L. Gradeless, #6303411
Division of Legal Counsel
Illinois Environmental Protection Agency
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CERTIFICATE OF SERVICE

I, the undersigned, on affirmation state the following:

That I have served the attached **MOTION FOR EXTENSION OF TIME TO FILE A RECOMMENDATION** by e-mail upon Thomas W. Dimond at the e-mail address of Thomas.Dimond@icemiller.com, upon Kelsey Weyhing at the e-mail address of Kelsey.Weyhing@icemiller.com, and upon Don Brown at the e-mail address of don.brown@illinois.gov.

That I have served the attached **MOTION FOR EXTENSION OF TIME TO FILE A RECOMMENDATION** upon any other persons, if any, listed on the Service List, by placing a true copy in an envelope duly address bearing proper first class postage in the United States mail at Springfield, Illinois on May 16, 2019.

That my e-mail address is Rex.Gradeless@Illinois.gov.

That the number of pages in the e-mail transmission is five (5).

That the e-mail transmission took place before 5:00 p.m. on the date of May 16, 2019.

/s/Rex L. Gradeless _____
May 16, 2019