

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

PEOPLE OF THE STATE OF ILLINOIS, )

Complainant, )

v. )

PCB NO. 12-21 )

ALTVITY PACKAGING, LLC, )

a Delaware limited liability company, )

INTRA-PLANT MAINTENANCE CORPORATION, )

an Illinois corporation, )

IRONHUSTLER EXCAVATING, INC., )

an Illinois corporation, and )

RON BRIGHT, d/b/a Quarter Construction, )

Respondents. )

**NOTICE OF ELECTRONIC FILING**

To: See Attached Service List

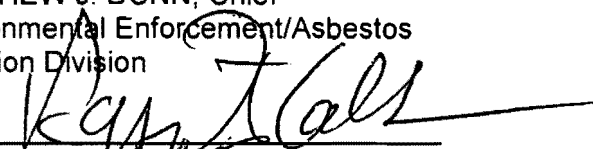
PLEASE TAKE NOTICE that on March 7, 2013, I electronically filed with the Clerk of the Pollution Control Board of the State of Illinois, c/o John T. Therriault, Assistant Clerk, James R. Thompson Center, 100 W. Randolph St., Ste. 11-500, Chicago, IL 60601, COMPLAINANT'S RESPONSE TO MOTION FOR EXTENSION OF TIME FILED BY RESPONDENTS IRONHUSTLER EXCAVATING, INC., AND RON BRIGHT, a copy of which is attached hereto and herewith served upon you.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS

LISA MADIGAN,  
Attorney General of the  
State of Illinois

MATTHEW J. DUNN, Chief  
Environmental Enforcement/Asbestos  
Litigation Division

BY:   
Raymond J. Callery  
Assistant Attorney General  
Environmental Bureau

500 South Second Street  
Springfield, Illinois 62706  
217/782-9031  
Dated: March 7, 2013

**CERTIFICATE OF SERVICE**

I hereby certify that I did on March 7, 2013, cause to be served by First Class Mail, with postage thereon fully prepaid, by depositing in a United States Post Office Box in Springfield, Illinois, a true and correct copy of the following instruments entitled NOTICE OF ELECTRONIC FILING and COMPLAINANT'S RESPONSE TO MOTION FOR EXTENSION OF TIME FILED BY RESPONDENTS IRONHUSTLER EXCAVATING, INC., AND RON BRIGHT upon the persons listed on the Service List.

A handwritten signature in black ink, appearing to read "Raymond J. Callery", written over a horizontal line.

Raymond J. Callery  
Assistant Attorney General

This filing is submitted on recycled paper.

**SERVICE LIST**

Intra-Plant Maintenance Corporation  
c/o Charles M. Rock  
Hasselberg Rock Bell & Kuppler LLP  
Suite 200 Associated Bank Building  
4600 North Brandywine Drive  
Peoria, IL 61614

Altivity Packaging, L.L.C.  
c/o Eleni Kouimelis & Wm. O'Neal  
Winston & Strawn LLP  
35 W. Wacker Dr.  
Chicago, IL 60601

Ironhustler Excavating, Inc., & Ron Bright, d/b/a Quarter Construction  
c/o Thomas J. Immel  
Feldman Wasser Draper & Cox  
PO Box 2418  
1307 South Seventh Street  
Springfield, IL 62705

Carol Webb  
Hearing Officer  
Illinois Pollution Control Board  
1021 N. Grand Avenue East  
Springfield, IL 62794

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS, )  
 )  
 Complainant, )  
 )  
 v. )  
 )  
 ALTIVITY PACKAGING, L.L.C., )  
 a Delaware limited liability company, )  
 INTRA-PLANT MAINTENANCE )  
 CORPORATION, an Illinois corporation, )  
 IRONHUSTLER EXCAVATING, INC., )  
 an Illinois corporation, and RON BRIGHT, )  
 d/b/a QUARTER CONSTRUCTION, )  
 )  
 Respondents. )

PCB No. 12-021  
(Enforcement - Land)

**COMPLAINANT'S RESPONSE TO MOTION FOR EXTENSION OF TIME FILED BY RESPONDENTS IRONHUSTLER EXCAVATING, INC. AND RON BRIGHT**

Complainant, PEOPLE OF THE STATE OF ILLINOIS, by LISA MADIGAN, Attorney General of the State of Illinois, responds to the Motion for Extension of Time filed by Respondents IRONHUSTLER EXCAVATING, INC. and RON BRIGHT ("Respondents"), as follows:

1. Complainant's Motion for Summary Judgment was filed on August 10, 2012.
2. Complainant initially agreed to delay hearing on the Motion for Summary Judgment so that Respondents' counsel could take certain discovery depositions.
3. The discovery depositions were taken in November 2012.
4. On January 8, 2013, the deadline for Respondents to respond to the Motion for Summary Judgment was set for January 31, 2012.
5. On January 29, 2012, Complainant, at Respondents' request, agreed to extend the response deadline until February 28, 2013.
6. On February 26, 2013, Respondents filed their Motion for Extension of

Time seeking to extend the deadline for responding to the Motion for Summary Judgment until March 28, 2013.

7. Complainant does not object to the pending Motion for an Extension Time until March 28, 2013.

8. Complainant will object to any further requests for an extension of time in responding to the Motion for Summary Judgment.

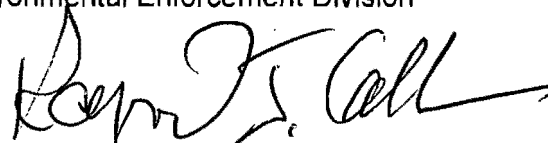
Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS  
*ex rel.* LISA MADIGAN,

Attorney General  
Of the State of Illinois

MATTHEW J. DUNN, Chief  
Environmental Enforcement Division

BY:



RAYMOND J. CALLERY  
Assistant Attorney General  
Environmental Bureau

500 South Second Street  
Springfield, Illinois 62706  
(217) 782-9031

Date: March 7, 2013.