

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
)
PETITION OF ROYAL FIBERGLASS POOLS,) AS 2009-04
INC. FOR AN ADJUSTED STANDARD FROM) (Adjusted Standard-Air)
35 ILL. ADM. CODE 215.301)
)

NOTICE

TO: John Therriault, Assistant Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph, Suite 11-500
Chicago, Illinois 60601-3218

Carol Webb, Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph, Suite 11-500
Chicago, Illinois 60601-3218

Dale A. Guariglia
Brandon W. Neuschafer
Bryan Cave LLP
One Metropolitan Square, Suite 3600
211 N. Broadway
St. Louis, MO 63102-2750

PLEASE TAKE NOTICE that I have today filed with the Office of the Pollution Control Board the THIRD MOTION FOR EXTENSION OF TIME IN WHICH TO FILE AGENCY'S RECOMMENDATION OF THE PETITION FOR ADJUSTED STANDARD of the Illinois Environmental Protection Agency a copy of which is herewith served upon you.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: /s/ Charles E. Matoesian

Charles E. Matoesian
Assistant Counsel
Division of Legal Counsel

DATED: July 7, 2009

1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276
217.782.5544
217.782.9143 (TDD)

**THIS FILING IS SUBMITTED
ON RECYCLED PAPER**

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
)
PETITION OF ROYAL FIBERGLASS POOLS,) AS 2009-04
INC. FOR AN ADJUSTED STANDARD FROM) (Adjusted Standard-Air)
35 ILL. ADM. CODE 215.301)
)

**THIRD MOTION FOR EXTENSION OF TIME IN WHICH TO FILE
AGENCY'S RECOMMENDATION OF THE PETITION FOR ADJUSTED STANDARD**

NOW COMES Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY ("Illinois EPA" or "Agency"), by its attorney, Charles E. Matoesian, and pursuant to Section 101.522 of the Illinois Pollution Control Board rules moves that the Hearing Officer extend the time for the Illinois EPA to file its recommendation on the petition for adjusted standard in the above captioned matter to July 28, 2009. In support of its Motion, the Illinois EPA states as follows:

1. On April 4, 2009, Illinois EPA received a Petition for Adjusted Standard filed on behalf of Royal Fiberglass Pools, Inc. ("Royal").
2. Under 35 Ill. Adm. Code 104.416, Illinois EPA must file with the Board the recommendation of the Agency on the petition for adjusted standard within 45 days of notice of the petition.
3. On May 15, 2009, the Illinois EPA filed a request for an extension of time to file its response to June 12, 2009, as Royal intended to submit some updated information which would help the Illinois EPA develop its recommendation.
4. On June 11, 2009, the Illinois EPA filed a second request for an extension of time to file its response to July 7, 2009, as Royal had not yet submitted the updated information.
5. The Illinois EPA today requests a third extension until July 28, 2009 as Royal has still not submitted the updated information.

6. During a telephone conversation on July 7, 2009 the attorney representing Petitioner agreed to this extension.

WHEREFORE, for the reasons set forth above, the Illinois EPA respectfully requests that the Hearing Officer grant an extension until July 28, 2009, for the Illinois EPA to file its recommendation of the petition for adjusted standard.

Respectfully submitted,
**ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY**

By: _____
Charles E. Matoesian
Assistant Counsel
Division of Legal Counsel

DATED: July 7, 2009

P.O. Box 19276
Springfield, Illinois 62794-9276
217/7782-5544

