

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, Acting Clerk
 Illinois Pollution Control Board
 James R. Thompson Center
 100 W. Randolph St., Suite 11-500
 Chicago, Illinois 60601-3218

Paul Duffy
 Duffy Law Group
 2 N. LaSalle Street
 Chicago, IL 60602

Dale A. Guariglia
 Bryan Cave, LLP
 One Metropolitan Square
 211 North Broadway, Suite 3600
 St. Louis, MO 63 102-2750

Carol Webb
 Hearing Officer
 Illinois Pollution Control Board
 1021 North Grand Avenue East
 P.O. Box 19274
 Springfield, Illinois 62794-9274

Brandon W. Neuschafer
 Bryan Cave, LLP
 One Metropolitan Square
 211 North Broadway, Suite 3600
 St. Louis, MO 63 102-2750

PLEASE TAKE NOTICE that I have today filed with the Office of the Pollution Control Board the MOTION 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 19, 2013

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)
)
)

**MOTION FOR EXTENSION OF TIME IN WHICH TO FILE
AGENCY'S RESPONSE TO THE MOTION TO RE-OPEN THE DOCKET.**

NOW COMES Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY ("Illinois EPA"), 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 the response to the motion to reopen the docket of the adjusted standard in the above captioned matter to August 19, 2013. In support of its Motion, the Illinois EPA states as follows:

1. On May 24, 2013 the co-plaintiffs Latham Pool Products, Inc d/b/a Viking Pools (Latham) and Royal Fiberglass (Petitioners) filed a joint-motion to re-open the docket and substitute a party for the grantee of the adjusted standard.
2. On June 5, 2013, Illinois EPA received notice of such a motion.
3. Under 35 Ill. Adm. Code 101.500(d), Illinois EPA must file with the Board a response to the motion to re-open the docket within 14 days of the motion being filed.
4. On June 19, 2013, Illinois EPA requested an extension to July 19, 2013, as the Illinois EPA required information from the Petitioners prior to filing its response.
5. As a result, the Illinois EPA inspected the Petitioner's facility which will require several days to review and analyze.

6. During a telephone conversation on July 18, 2013, the Attorney for Petitioner expressed no objection to such an extension.

7. Illinois EPA therefore requests an extension to August 19, 2013, as the Illinois EPA needs to review and further discuss this matter with the Petitioners prior to filing its response.

WHEREFORE, for the reasons set forth above, the Illinois EPA respectfully requests that the Board grant an extension until August 19, 2013, for the Illinois EPA to file its response to the motion to re-open the docket and substitute parties.

Respectfully submitted,
**ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY**

By: /s/ Charles E. Matoesian
Charles E. Matoesian
Assistant Counsel
Division of Legal Counsel

DATED: July 19, 2013

1021 N. Grand Ave. East
P.O. Box 19276
Springfield, Illinois 62794-9276
217/7782-5544

