

ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,	)	
	)	
Complainant,	)	
	)	
v.	)	PCB 06-41
	)	(Enforcement – Air)
DOT PACKAGING GROUP, INC., an	)	
Indiana corporation,	)	
	)	
Respondent.	)	

**NOTICE OF FILING**

TO: Ms. Dorothy M. Gunn	Bradley P. Halloran, Esq.
Clerk of the Board	Hearing Officer
Illinois Pollution Control Board	Illinois Pollution Control Board
100 West Randolph Street	100 West Randolph Street
Suite 11-500	Suite 11-500
Chicago, Illinois 60601	Chicago, Illinois 60601
(VIA ELECTRONIC MAIL)	(VIA FIRST CLASS MAIL)

(PERSONS ON ATTACHED SERVICE LIST)

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board DOT Packaging Group, Inc.'s **MOTION FOR EXTENSION OF TIME**, a copy of which is herewith served upon you.

Respectfully submitted,

DOT PACKAGING GROUP, INC.,

By: /s/ Katherine D. Hodge  
One of Its Attorneys

Dated: October 6, 2005

Katherine D. Hodge  
Gale W. Newton  
HODGE DWYER ZEMAN  
3150 Roland Avenue  
Post Office Box 5776  
Springfield, Illinois 62705-5776  
(217) 523-4900

DPGI:001/Fil/NOF - MET

**THIS FILING SUBMITTED ON RECYCLED PAPER**

**CERTIFICATE OF SERVICE**

I, Katherine D. Hodge, the undersigned, certify that I have served the attached

MOTION FOR EXTENSION OF TIME upon:

Ms. Dorothy M. Gunn  
Clerk of the Board  
Illinois Pollution Control Board  
100 West Randolph Street  
Suite 11-500  
Chicago, Illinois 60601

via electronic mail on October 6, 2005; and upon:

Bradley P. Halloran, Esq.  
Hearing Officer  
Illinois Pollution Control Board  
100 West Randolph Street  
Suite 11-500  
Chicago, Illinois 60601

Paula Becker Wheeler, Esq.  
Assistant Attorney General  
Office of the Attorney General  
188 West Randolph  
20th Floor  
Chicago, Illinois 60601

by depositing said documents in the United States Mail, postage prepaid, in Springfield,

Illinois, on October 6, 2005.

/s/ Katherine D. Hodge  
Katherine D. Hodge

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,	)	
	)	
Complainant,	)	
	)	
v.	)	PCB No. 06-041
	)	(Enforcement - Air)
DOT PACKAGING GROUP, INC., an	)	
Indiana corporation,	)	
	)	
Respondent.	)	

**MOTION FOR EXTENSION OF TIME**

NOW COMES Respondent, DOT PACKAGING GROUP, INC. (“DOT”), by its attorneys, HODGE DWYER ZEMAN, and, pursuant to 35 Ill. Admin. Code § 101.522, moves the Hearing Officer or Illinois Pollution Control Board (“Board”) in this matter, to enter an Order granting Respondent an extension of time in which to answer or otherwise respond to Complainant’s Complaint. In support of this Motion, Respondent states as follows:

1. “The [Illinois Pollution Control] Board or hearing officer, for good cause shown on a motion after notice to the opposite party, may extend the time for filing any document or doing any act which is required by these rules to be done within a limited period, either before or after the expiration of time.” 35 Ill. Admin. Code § 101.522.

2. On September 12, 2005, the People of the State of Illinois (“the State”) filed a Complaint in the above-captioned matter, alleging violations of Sections 9(a) and 39.5(6)(a) of the Illinois Environmental Protection Act regarding air pollution (415 ILCS § 5/9(a) and 415 ILCS § 5/39.5(6)(a)); Sections 218.207(b)(1), 218.207(c), 218.105(d)(2)(A)(ii), 218.211(e)(2)(B) and 201.302(a) of the Board’s regulations (35 Ill.

Adm. Code §§ 218.207(b)(1), 218.207(c), 218.105(d)(2)(A)(ii), 218.211(e)(2)(B), and 201.302(a)); and, Conditions 7.2.3(e), 7.2.5(b), 7.2.8, 8.6.1, and 9.8 of DOT's Clean Air Act Permit Program permit.

3. The law firm of HODGE DWYER ZEMAN was retained by DOT to represent it in the above-captioned matter, and filed its Entry of Appearance on September 29, 2005.

4. DOT received notice of the Complaint on September 14, 2005. Thus, pursuant to Board rule 35 Ill. Adm. Code 103.204(d), an Answer is due on November 14, 2005.

5. DOT is requesting an extension of time for sixty (60) days, or until January 13, 2006, to answer Complainant's Complaint so that the parties may discuss possible settlement of the issues involved in this matter.

6. Counsel for Respondent contacted counsel for Complainant and was advised that Counsel for Complainant had no objection to this Motion.

WHEREFORE, Respondent, DOT PACKAGING GROUP, INC., respectfully moves the Hearing Officer to enter an Order granting its request for an extension of time

for sixty (60) days, to and including January 13, 2006, in which to file its Answer to Complainant's Complaint.

Respectfully submitted,

DOT PACKAGING GROUP, INC.,  
Respondent,

Dated: October 6, 2005

By: s/ Katherine D. Hodge  
One of Its Attorneys

Katherine D. Hodge  
Gale W. Newton  
HODGE DWYER ZEMAN  
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