

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PARTYLITE WORLDWIDE, INC.,)
)
)
 Petitioner,)
)
 v.) PCB No. 08-32
) (Air-Permit Appeal)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY)
)
 Respondent.)

NOTICE OF FILING

TO: Attached Service List

PLEASE TAKE NOTICE that on January 18, 2008, I filed with the Clerk of the Illinois Pollution Control Board, Respondent's Motion for Extension of Time to File Administrative Record and to Reschedule the Hearing and Certificate of Service, a copy of which is attached and served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: Gerald T. Karr

Gerald T. Karr
Senior Assistant Attorney General
Environmental Bureau
69 West Washington Street
Suite 1800
Chicago, Illinois 60602
(312) 814-3369

DATED: January 18, 2008

THIS FILING IS SUBMITTED ON RECYCLED PAPER

SERVICE LIST

Eric Boyd
Meagan Newman
Seyfarth Shaw
131 South Dearborn Street
Suite 2400
Chicago, Illinois 60603-5803

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

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PARTYLITE WORLDWIDE, INC.,)	
)	
)	
Petitioner,)	
)	
v.)	PCB No. 08-32
)	(Air-Permit Appeal)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY)	
)	
Respondent.)	

RESPONDENT'S MOTION FOR EXTENSION OF TIME AND TO RESCHEDULE HEARING

NOW COMES the Respondent the Illinois Environmental Protection Agency ("Illinois EPA") by and through its attorneys and pursuant to Section 101.522 and 101.510 of the Illinois Pollution Control Board Regulations, 35 Ill. Adm. Code Sections 101.522 and 101.510 and moves the Board for an order grant Respondent additional time to file the administrative record and an order canceling and rescheduling the January 29, 2008, hearing in this matter. In support of this motion Respondent states as follows:

1. The Office of the Attorney General was first contacted by the Illinois EPA for representation in this matter on January 14, 2008. On January 15, 2008, the Office of the Attorney General agreed to represent the Illinois EPA.
2. Upon review of the file it became apparent the administrative record had not yet been filed.
3. The Office of the Attorney General requests 28 days to compile and file with the Board the administrative record in this matter.
4. On January 16, 2008, this case was assigned to the Assistant Attorney General appearing in this matter and it was at that time it was first learned that a hearing was scheduled in this matter on January 29, 2008.

5. Counsel for Respondent will not have adequate time to prepare for the hearing scheduled on January 29, 2008 and request an Order canceling the hearing and rescheduling it for February 29, 2008. In support of this motion and pursuant to Illinois Pollution Control Board Procedural Regulations Section 101.510(b), 35 Ill. Adm. Code Section 101.510(b) see the attached Affidavit.

6. Respondent will be prejudiced if the hearing is not cancelled and rescheduled.

WHEREFORE Respondent, Illinois Environmental Protection Agency, respectfully request and Order giving it 28 days to file the administrative record and an Order canceling the January 29, 2008 hearing and rescheduling it for February 29, 2008.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: _____
Gerald T. Karr
Senior Assistant Attorney General
Environmental Bureau
69 West Washington Street
Suite 1800
Chicago, Illinois 60602
(312) 814-3369

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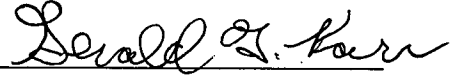
AFFIDAVIT OF GERALD T. KARR

I, Gerald T. Karr, being duly sworn, hereby depose and state as follows:

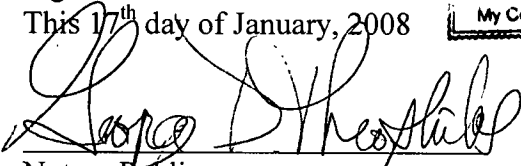
1. My name is Gerald T. Karr. I am a Senior Assistant Attorney General in the Environmental Bureau of the Illinois Attorney General's Office. My office is located at 69 West Washington Street, Suite 1800, Chicago, Illinois. I have held this position for approximately nine years.
2. As part of my duties I am from time to time assigned to represent the Illinois Environmental Protection Agency in various administrative and legal proceedings. These assignments come after the Illinois Environmental Protection Agency makes a request for representation.
3. The Illinois Environmental Protection Agency's request for representation in this matter was received on January 15, 2008 and assigned to me on January 16, 2008.
4. Due to the short period of time between the hearing and the assignment of the matter, counsel for the Respondent would not have adequate time to prepare for the hearing.
5. This is the first request by Respondent to cancel the hearing.

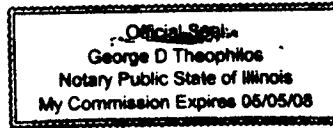
6. Respondent proposes that the hearing be rescheduled on February 29, 2008.

Further affiant sayeth not.


Gerald T. Karr

Signed to and sworn before me
This 17th day of January, 2008


Notary Public



CERTIFICATE OF SERVICE

I, GERALD T. KARR, an Assistant Attorney General in this case, do certify that on this 18th day of January, 2008, I caused to be served by First Class Mail the foregoing Notice of Filing and Respondent's Motion for Extension of Time to File Administrative Record and to Reschedule the Hearing upon the individuals listed on the attached service list, by depositing the same in the U.S. Mail depository located at 100 West Randolph Street, Chicago, Illinois in an envelope with sufficient postage prepaid.


GERALD T. KARR