

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION V

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US EPA REGION V
2008 JAN -9 PM 3:54

In the Matter of:)
)
) Proceeding to Assess a
) Civil Penalty under Section
Saint Charles Wastewater)
Treatment Facility) 113(d) of the Clean Air Act,
1404 S. Seventh Avenue) 42 U.S.C. § 7413(d)
St. Charles, Illinois 60174)
)
)
)
Respondent.) Docket No. CAA-05-2008-0003

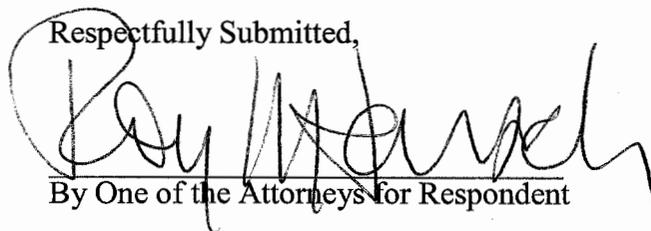
NOTICE OF MOTION

To: See attached service list.

PLEASE TAKE NOTICE that on Wednesday, January 9, 2008, I, Yesenia Villasenor-Rodriguez, an attorney with the law firm of DrinkerBiddleGardnerCarton, LLP filed a **Motion for Extension to File Answer and Appearances of Roy M. Harsch and Yesenia Villasenor-Rodriguez**, with the Regional Hearing Clerk (E-13J), U.S. Environmental Protection Agency, Region V, 77 West Jackson Boulevard, Chicago, Illinois 60604-3590, a copy of which is attached hereto and hereby served upon you.

Dated: January 9, 2008

Respectfully Submitted,



By One of the Attorneys for Respondent

DrinkerBiddleGardnerCarton, LLP
Roy M. Harsch
Yesenia Villasenor-Rodriguez
191 N. Wacker Dr.
Suite 3700
Chicago, IL 60606-1698
312-569-1000

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION V**

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US EPA REGION V
2008 JAN -9 PM 3:50

In the Matter of:)	
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Saint Charles Wastewater)	Proceeding to Assess a
Treatment Facility)	Civil Penalty under Section
1404 S. Seventh Avenue)	113(d) of the Clean Air Act,
St. Charles, Illinois 60174)	42 U.S.C. § 7413(d)
)	
)	
Respondent)	Docket No. <u>CAA-05-2008-0003</u>

MOTION FOR EXTENSION TO FILE ANSWER

The City of St. Charles ("City"), by their attorneys DrinkerBiddleGardnerCarton, LLP moves for an extension of time to file an answer to the complaint in this matter. In support, the City state as follows:

1. The United States Environmental Protection Agency ("U.S. EPA") Region V filed this Complaint on December 11, 2007 with the Regional Hearing Clerk, and such was served upon the City on December 13, 2007.
2. According to regulations at 40 C.F.R. § 22.15, Respondent has thirty (30) days to respond to this administrative complaint. Therefore, the City's response is due by January 14, 2008 (the due date expires on a Saturday thus, allowing for the following Monday as the due date pursuant to 40 C.F.R. §22.7(a)).
3. Mr. Clifford White, the former Environmental Services Superintendent for the City, was responsible for handling this matter but has since left the City and is employed and residing out of state.
4. The City is in the process of locating all of its records in relation to this matter, which has been hampered due to Mr. White's departure and the holidays that shortly followed

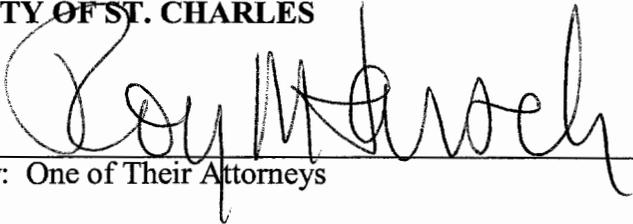
the receipt of this Complaint. Therefore, the City requests an additional thirty (30) days to file its answer in this matter.

5. Respondent has conferred with Mr. Richard W. Wagner, counsel for the U.S. EPA, which has no objection to this motion.

WHEREFORE, respondent moves for an extension of time to answer or otherwise plead for an additional 30 days or until February 13, 2008.

Respectfully submitted,

CITY OF ST. CHARLES


By: One of Their Attorneys

Dated: January 9, 2008

DrinkerBiddleGardnerCarton, LLP
Roy M. Harsch
Yesenia Villasenor-Rodriguez
191 N. Wacker Dr.
Suite 3700
Chicago, IL 60606-1698
312-569-1000

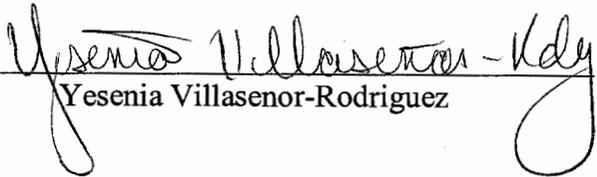
CERTIFICATE OF SERVICE

I, Yesenia Villasenor-Rodriguez, an attorney in the law firm of DrinkerBiddleGardner Carton, LLP, certify that a copy of the foregoing **Appearances of Roy M. Harsch and Yesenia Villasenor-Rodriguez, and Motion for Extension to File Answer** was served by mail upon the following:

Richard W. Wagner
Office of Regional Counsel (C-29A)
U.S. EPA, Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

Marcy Toney
Regional Judicial Officer (C-14J)
U.S. EPA, Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

on this 9th day of January, 2008.



Yesenia Villasenor-Rodriguez

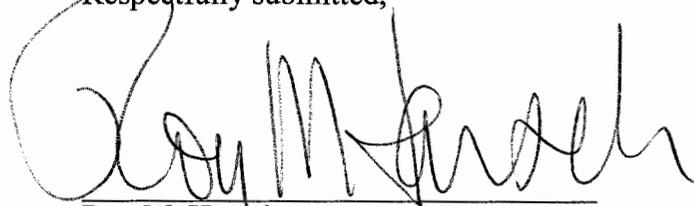
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Respondent)	Docket No. <u>CAA-05-2008-0003</u>

APPEARANCE

I, Roy M. Harsch, an attorney with the law firm of DrinkerBiddleGardnerCarton, LLP hereby file my appearance in the above captioned matter.

Respectfully submitted,



Roy M. Harsch

Dated: January 9, 2008

DrinkerBiddleGardnerCarton, LLP
Roy M. Harsch
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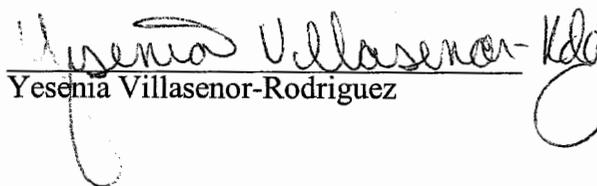
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APPEARANCE

I, Yesenia Villasenor-Rodriguez, an attorney with the law firm of DrinkerBiddleGardnerCarton, LLP hereby file my appearance in the above captioned matter.

Respectfully submitted,



Yesenia Villasenor-Rodriguez

Dated: January 9, 2008

DrinkerBiddleGardnerCarton, LLP
Yesenia Villasenor-Rodriguez
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