

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

IN THE MATTER OF:	)	
	)	AS 2021-005
Petition of Electric Energy, Inc. for a Finding of	)	
Inapplicability, or, in the Alternative, an Adjusted	)	
Standard from 35 Ill. Adm. Code Part 845	)	
	)	(Adjusted Standard)
	)	

To: See attached service list.

**NOTICE OF ELECTRONIC FILING**

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board the Illinois Environmental Protection Agency’s Motion for Extension of Time, a copy of which is herewith served upon you.

Respectfully submitted,

Dated: September 22, 2021

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY,

Christine Zeivel, #6298033  
Division of Legal Counsel  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
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(217) 782-5544  
[Christine.Zeivel@Illinois.Gov](mailto:Christine.Zeivel@Illinois.Gov)

Respondent,

BY: /s/Christine Zeivel  
Christine Zeivel

**THIS FILING IS SUBMITTED ELECTRONICALLY**

**SERVICE LIST**

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ILLINOIS POLLUTION CONTROL BOARD

Carol Webb, Hearing Officer

Don Brown, Clerk

James R. Thompson Center

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	)	(Adjusted Standard)

**MOTION FOR EXTENSION OF TIME**

The Illinois Environmental Protection Agency (“Illinois EPA” or “Agency”), by and through its attorney, hereby submits its Motion for Extension of Time and requests a 60-day extension of time, up to and including November 22, 2021, to file its recommendation concerning the Petition of Electric Energy, Inc. for a Finding of Inapplicability or, in the Alternative, an Adjusted Standard from 35 Ill. Admin. Code, Part 845, stating as follows:

1. On May 11, 2021, Petitioner filed its Petition for a Finding of Inapplicability or, in the Alternative, an Adjusted Standard from 35 Ill. Admin. Code, Part 845 (“Petition”).
2. Illinois EPA’s recommendation must be filed with the Illinois Pollution Control Board (“Board”) within 45 days after the filing of the petition. 35 Ill. Admin. Code. 104.416.
3. On May 11, 2021, eight petitions for adjusted standards and three petitions for variances were filed with the Board concerning Part 845. Many of these petitions seek adjusted standards or variances for multiple coal combustion residual (“CCR”) surface impoundments.
4. On June 5, 2021, the Board granted Illinois EPA’s motion for extension of time to file the Agency’s recommendation on the Petition and ordered Illinois EPA’s recommendation due on September 23, 2021.
5. Illinois EPA has been working diligently to evaluate and complete its recommendations for all the Part 845 petitions, including Petitioner’s requests as contained in the

Petition. Nevertheless, the Agency requires more time to complete its recommendation in this matter.

6. Illinois EPA requests the Board extend the deadline to file its recommendation concerning the Petition to November 22, 2021.

7. Counsel for the Agency contacted counsel for Electric Energy, Inc., who indicated they have no objection to the requested extension of time.

WHEREFORE, Illinois EPA requests the Board grant its Motion for Extension of Time and grant the Agency an additional sixty (60) days, up to and including November 22, 2021, to file its recommendation with the Board.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY,

Respondent,

/s/ Christine Zeivel

Christine Zeivel, #6298033

Division of Legal Counsel

Illinois Environmental Protection Agency

1021 North Grand Avenue East

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[Christine.Zeivel@Illinois.Gov](mailto:Christine.Zeivel@Illinois.Gov)

**THIS FILING IS SUBMITTED ELECTRONICALLY**

**CERTIFICATE OF SERVICE**

I, the undersigned, on affirmation certify the following:

That I have served the attached **MOTION FOR EXTENSION OF TIME** by e-mail upon the following:

Bina Joshi	<a href="mailto:bjoshi@schiffhardin.com">bjoshi@schiffhardin.com</a>
Sarah L. Lode	<a href="mailto:slode@schiffhardin.com">slode@schiffhardin.com</a>
Joshua More	<a href="mailto:jmore@schiffhardin.com">jmore@schiffhardin.com</a>
Carol Webb	<a href="mailto:Carol.Webb@illinois.gov">Carol.Webb@illinois.gov</a>
Don Brown	<a href="mailto:Don.Brown@illinois.gov">Don.Brown@illinois.gov</a>

That I have served the attached **MOTION FOR EXTENSION OF TIME** upon any other persons, if any, listed on the Service List, by placing a true copy in an envelope duly address bearing proper first-class postage in the United States mail at Springfield, Illinois on September 22, 2021.

That my e-mail address is [Christine.Zeivel@Illinois.gov](mailto:Christine.Zeivel@Illinois.gov).

That the number of pages in the e-mail transmission is five (5).

That the e-mail transmission took place before 4:30 p.m. on the date of September 22, 2021.

/s/Christine Zeivel  
September 22, 2021