

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

SIERRA CLUB and PRAIRIE RIVERS)	
NETWORK,)	
)	
Petitioners,)	
)	PCB No. 22 – 69
v.)	(NPDES Permit Appeal)
)	
ILLINOIS ENVIRONMENTAL PROTECTION)	
AGENCY and WILLIAMSON ENERGY LLC,)	
)	
Respondents.)	

NOTICE OF FILING

To: See Attached Service List

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board **Appearance of Andrew B. Armstrong and Consent to E-Mail Service, Appearance of Kevin D. Bonin and Consent to E-Mail Service, Motion for an Extension of Time to File the Record, and Certificate of Service**, copies of which are herewith served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION
AGENCY

BY: /s/ Kevin D. Bonin
 KEVIN D. BONIN, #6294877
 Assistant Attorney General
 Environmental Bureau
 Illinois Attorney General's Office
 500 South 2nd Street
 Springfield, Illinois 62701
 Ph: (217) 782-5055
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Service List

For the Petitioners

Albert Ettinger
70 E. Lake, Suite 1500
Chicago, Illinois 60601
ettinger.albert@gmail.com
Via E-Mail

Sarah Rubenstein
Great Rivers Environmental Law Center
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srubenstein@greatriverslaw.org
Via E-Mail

For Respondent Williamson Energy LLC

Jeffrey R. Baron
Bailey & Glasser, LLP
34 N. Gore Avenue, Suite 102
Webster Groves, Missouri 63119
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Via E-Mail

For the Pollution Control Board

Carol Webb, Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue
P.O. Box 19274
Springfield, Illinois 62794-9274
carol.webb@illinois.gov
Via E-Mail

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**APPEARANCE OF ANDREW B. ARMSTRONG
AND CONSENT TO E-MAIL SERVICE**

I, Andrew B. Armstrong, hereby enter my appearance on behalf of the ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, and I consent to the service of documents on me by e-mail in lieu of receiving paper documents. My e-mail address to receive service is andrew.armstrong@ilag.gov.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

BY: /s/ Andrew B. Armstrong
ANDREW B. ARMSTRONG, Chief, #6282447
Assistant Attorney General
Environmental Bureau
Illinois Attorney General’s Office
500 South 2nd Street
Springfield, Illinois 62701
Ph: (217) 782-7968
Fax: (217) 524-7740
andrew.armstrong@ilag.gov

Dated: June 6, 2022

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

SIERRA CLUB and PRAIRIE RIVERS)	
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Respondents.)	

**APPEARANCE OF KEVIN D. BONIN
AND CONSENT TO E-MAIL SERVICE**

I, Kevin D. Bonin, hereby enter my appearance on behalf of the ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, and I consent to the service of documents on me by e-mail in lieu of receiving paper documents. My e-mail address to receive service is kevin.bonin@ilag.gov.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

BY: /s/ Kevin D. Bonin
KEVIN D. BONIN, #6294877
Assistant Attorney General
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500 South 2nd Street
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Dated: June 6, 2022

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MOTION FOR AN EXTENSION OF TIME TO FILE THE RECORD

NOW COMES Respondent, the Illinois Environmental Protection Agency, by and through its attorney, KWAME RAOUL, Attorney General of the State of Illinois, and hereby moves for an extension of time to file the administrative record in this matter pursuant to Sections 101.522 and 105.116 of the Board’s Procedural Rules, 35 Ill. Adm. Code 101.522 and 105.116. In support thereof, Respondent states as follows:

1. On May 10, 2022, Sierra Club and Prairie Rivers Network (“Petitioners”) filed a Petition for Review of an NPDES Permit Decision by the Illinois Environmental Protection Agency (“Illinois EPA”), challenging Illinois EPA’s reissuance of NPDES Permit No. IL0077666 to Williamson Energy LLC on April 15, 2022.
2. Pursuant to Section 105.116(a) of the Board’s regulations, 35 Ill. Adm. Code 105.116(a), Illinois EPA must file the administrative record by June 9, 2022.
3. Illinois EPA anticipates a voluminous administrative record in this matter. For example, in response to the draft permit issued on July 12, 2019 and the public hearing held on December 18, 2019, Illinois EPA received over 300 public comments.

4. Illinois EPA personnel involved in preparing the record are also working on other pressing matters, including a number of pending proceedings concerning CCR surface impoundments, and require additional time to compile and file the administrative record in this matter.

5. A telephonic status conference regarding this matter is scheduled for June 23, 2022 at 9:00 a.m.

WHEREFORE, for the reasons set forth above, Respondent Illinois EPA requests an extension of time until and including July 25, 2022 to file the administrative record.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

BY: /s/ Kevin D. Bonin
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Dated: June 6, 2022

CERTIFICATE OF SERVICE

I, Lilia M. Brown, certify that on the 6th day of June, 2022, I caused to be served by Electronic Mail the foregoing **Notice of Filing, Appearance of Andrew B. Armstrong and Consent to E-Mail Service, Appearance of Kevin D. Bonin and Consent to E-Mail Service,** and **Motion for an Extension of Time to File the Record** to the parties listed below:

For the Petitioners

Albert Ettinger
70 E. Lake, Suite 1500
Chicago, Illinois 60601
ettinger.albert@gmail.com
Via E-Mail

Sarah Rubenstein
Great Rivers Environmental Law Center
705 Olive Street, Suite 614
St. Louis, Missouri 63101-2208
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Via E-Mail

For Respondent Williamson Energy LLC

Jeffrey R. Baron
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For the Pollution Control Board

Carol Webb, Hearing Officer
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P.O. Box 19274
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carol.webb@illinois.gov
Via E-Mail

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this Certificate of Service are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that she verily believes the same to be true.

/s/ Lilia M. Brown
LILIA M. BROWN
Administrative Secretary
500 South 2nd Street
Springfield, Illinois 62701
lilia.brown@ilag.gov