

**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 **Second 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  
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**Service List**

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**For Respondent Williamson Energy LLC**

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**For the Pollution Control Board**

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ILLINOIS ENVIRONMENTAL PROTECTION	)	
AGENCY and WILLIAMSON ENERGY LLC,	)	
	)	
Respondents.	)	

**SECOND 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 a second and final 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 was required to file the administrative record by June 9, 2022.
3. On June 6, 2022, Illinois EPA filed a Motion for an Extension of Time to File the Record, requesting an extension of time until and including July 25, 2022 to file the administrative record.

4. Per the July 8, 2022 Hearing Officer Order, Illinois EPA's Motion for an Extension of Time to File the Record was granted.

5. The administrative record in this matter is voluminous. 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.

6. 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.

7. While preparing the final administrative record for filing before the July 25, 2022 deadline, it was discovered that several documents were inadvertently omitted from the draft record. Illinois EPA requires additional time to compile these documents for inclusion in the administrative record.

8. On July 21, 2022, undersigned counsel contacted counsel for Petitioners and co-Respondent and requested whether the parties would agree to a second extension. At the time of this filing, undersigned counsel have received no responses.

WHEREFORE, for the reasons set forth above, Respondent Illinois EPA requests a final extension of time until and including August 17, 2022 to file the administrative record.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY

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Dated: July 22, 2022

**CERTIFICATE OF SERVICE**

I, Lilia M. Brown, certify that on the 22nd day of July, 2022, I caused to be served by Electronic Mail the foregoing **Notice of Filing** and **Second Motion for an Extension of Time to File the Record** to the parties listed below:

For the Petitioners

Albert Ettinger  
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For Respondent Williamson Energy LLC

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*Via E-Mail*

For the Pollution Control Board

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*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  
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