

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

NORTH PARK PUBLIC WATER)	
DISTRICT,)	
)	
Petitioner,)	PCB No.: 2022-036
)	(Permit Appeal-Public Water Supply)
)	
v.)	
)	
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

NOTICE OF FILING

To: *See Attached Service List*

PLEASE TAKE NOTICE that on the 23rd day of August, 2022, I caused to be electronically filed with the Clerk of the Illinois Pollution Control Board, via the “COOL” System, the attached Respondent’s Motion for Extension of Time to File the Record, a true and correct copy of which is hereto attached and hereby served upon you.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

/s/Karen W. Howard
Karen W. Howard
Assistant Attorney General
Environmental Bureau
Office of the Illinois Attorney General
69 W. Washington Street, 18th Floor
Chicago, IL 60602
(312) 814-5361
Karen.howard@ilag.gov

SERVICE LIST

Don Brown, Clerk
Illinois Pollution Control Board
60 E. Van Buren St., Suite 630
Chicago, Illinois 60605
Don.Brown@illinois.gov
(by electronic filing)

Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
60 E. Van Buren St., Suite 630
Chicago, Illinois 60605
Brad.Halloran@illinois.gov
(by e-mail)

Counsel for North Park Water District
Fredric P. Andes
Alexander J. Bandza
BARNES & THORNBURG LLP
One Wacker Drive, Suite 4400
Chicago, Illinois 60666-2833
fredric.andes@btlaw.com
abandza@btlaw.com
(by e-mail)

CERTIFICATE OF SERVICE

I, Karen W. Howard, an Assistant Attorney General, hereby certify that on the 23rd day of August, 2022, I caused to be served a true and correct copy of the foregoing Notice of Filing and Respondent's Motion for Extension of Time to File the Record to the persons listed on the attached Service List, via e-mail or electronic filing as indicated.

/s/Karen W. Howard

Karen W. Howard

Assistant Attorney General

Environmental Bureau

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RESPONDENT’S MOTION FOR EXTENSION OF TIME TO FILE THE RECORD

NOW COMES Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY (“Illinois EPA”), by and through the Attorney General of the State of Illinois, KWAME RAOUL, and pursuant to 35 Ill. Adm. Code 105.116(a), hereby moves for an extension of time until December 8, 2022 in which to file the Agency record for this permit appeal. In support of its motion, the Illinois EPA states as follows:

1. On March 17, 2022, the Illinois Pollution Control Board (“Board”) ordered Illinois EPA to file the entire record of its determination by Monday, April 10, 2022, unless the Board or hearing officer orders otherwise. Order of the Board, page 2 (March 17, 2022).

2. On March 31, 2022, the Board hearing officer entered an order extending the date for the Illinois EPA to file the record to June 9, 2022. Order of the Board (March 31, 2022).

3. On May 12, 2022, the Board hearing officer entered an order extending the date for the Illinois EPA to file the record to July 11, 2022. Said order also set this matter for a telephonic status to July 7, 2022 at 10:30 a.m. Order of the Board (May 12, 2022).

4. On June 27, 2022, the Board hearing officer entered an order extending the date for the Illinois EPA to file the record to September 9, 2022. Order of the Board (June 27, 2022).

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5. On July 7, 2022, the Board hearing officer entered an order setting this matter for a telephonic status on August 25, 2022. Order of the Board (July 7, 2022),

6. On June 28, 2022, Petitioner filed a waiver of the statutory decision deadline extending the decision deadline to January 16, 2023. Waiver of Decision (June 28, 2022).

7. The parties are continuing their negotiations attempting to resolve their disputed issues. The parties are scheduled to have an in-person meeting to discuss the disputed issues on September 9, 2022.

8. On August 22, 2022, Petitioner filed a waiver of the statutory decision deadline extending the decision deadline to April 17, 2023. Waiver of Decision (August 22, 2022).

9. Respondent conferred with Petitioner and Petitioner is amenable to an extension of time for the Illinois EPA to file the record to on or before December 8, 2022.

10. As the parties are continuing their negotiations to resolve this matter, including an in-person conference on September 9, 2022, it would not be prudent to file the record on the same date as the parties are meeting. Instead, the Illinois EPA requests an extension of time, to on or before December 8, 2022, to file the record.

WHEREFORE, for the reasons stated herein, the Illinois EPA respectfully requests that the Board or hearing officer enter an order: (i) granting the Illinois EPA's motion; (ii) extending the deadline for Illinois EPA to file the record until December 8, 2022; and (iii) for such other relief as the Board or hearing officer deems appropriate.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION
AGENCY

By: s/Karen W. Howard
Karen W. Howard
Assistant Attorney General
Environmental Bureau
Office of the Illinois Attorney General
69 W. Washington Street, 18th Floor
Chicago, IL 60602
(312) 814-5361
Karen.howard@ilag.gov

Dated: August 23, 2022