

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB No. PCB 11-50
)	(Enforcement – Land)
)	
THE CITY OF MORRIS, an Illinois municipal)	
corporation, and COMMUNITY LANDFILL)	
COMPANY, INC., a dissolved Illinois)	
corporation,)	
)	
Respondents.)	

MOTION FOR EXTENSION OF TIME

NOW COMES Respondent, the CITY OF MORRIS (“CITY”), an Illinois municipal corporation, by and through its attorneys, HINSHAW AND CULBERTSON, LLP, and for its Motion for Extension of Time filed pursuant to 35 Ill. Adm. Code 101.522, directed to the Hearing Officer as allowed under 35 Ill. Adm. Code 101.502, respectfully states as follows:

1. On August 28, 2020, the State of Illinois (“State”) filed its Motion to File Amended Complaint and Motion to Voluntarily Dismiss Community Landfill Company.
2. On September 11, 2020, the City filed its Response in Opposition to the State’s Motion for Leave to File Amended Complaint and for Leave to Voluntarily Dismiss the Community Landfill Company. The State then filed a Reply in support of its motions. On September 9, 2021, the Board issued its Order and Opinion granting the State’s motions.
3. Accordingly, pursuant to 35 Ill. Adm. Code 101.506, any response to the State’s Amended Complaint is due within 30 days from the issuance of the Board’s Order and Opinion, being October 9, 2021.
4. The parties have engaged in communications regarding this matter and have agreed to a 60 day extension of the City’s October 9, 2021 responsive pleading deadline.

5. The parties agree that the extension is supported by good cause and will not result in material prejudice to the State, whereas such prejudice may result to the City if the extension is not granted.

6. The Hearing Officer has the authority to grant the City's Motion for Extension of Time pursuant to 35 Ill. Adm. Code 101.502, as it is not a dispositive motion to the proceeding.

WHEREFORE, the City respectfully requests that the Hearing Officer enter an Order granting the City's Motion for Extension of Time and extend the deadline for the City's Response to December 9, 2021.

Dated: September 22, 2021

Respectfully submitted,

ATTORNEY FOR RESPONDENT

/s/ Richard S. Porter

Richard S. Porter
One of Their Attorneys

Richard S. Porter
rporter@hinshawlaw.com
Hinshaw & Culbertson LLP
100 Park Avenue, P.O. Box 1389
Rockford, IL 61105-1389
Phone: 815-490-4900

AFFIDAVIT OF SERVICE

The undersigned certifies that on September 22, 2021, she served a copy of the foregoing Motion for Extension of Time upon the following:

Christopher J. Grant
Senior Assistant Attorney General
69 West Washington Street, Suite 1800
Chicago, IL 60602
christopher.grant@ilag.gov

Stephen Sylvester
Senior Assistant Attorney General
69 Washington Street, Suite 1800
Chicago, IL 60602
stephen.sylvester@ilag.com

Kevin Garstka
Assistant Attorney General
69 Washington Street, Suite 1800
Chicago, IL 60602
kevin.garstka@ilag.com

by e-mailing, at or about the hour of 5:00 o'clock p.m., addressed as above.

/s/ Amy C. Gille

HINSHAW & CULBERTSON LLP
100 Park Avenue
P.O. Box 1389
Rockford, IL 61105-1389
815-490-4900