

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

PRAIRIE STATE GENERATING	)	
COMPANY, LLC,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB No. 25 – 11
	)	(Permit Appeal – Air)
	)	
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

**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 Kevin D. Bonin and Consent to E-Mail Service, Motion for an Extension of Time to File Administrative 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  
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 Environmental Bureau  
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**Service List**

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**For the Pollution Control Board**

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*Via E-Mail*

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PROTECTION AGENCY,	)	
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**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](mailto:kevin.bonin@ilag.gov).

Respectfully submitted,

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY

BY: /s/ Kevin D. Bonin  
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Dated: September 27, 2024

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

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	)	
Respondent.	)	

**MOTION FOR AN EXTENSION OF TIME TO FILE ADMINISTRATIVE RECORD**

NOW COMES Respondent, the Illinois Environmental Protection Agency (“Illinois EPA”), 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 regulations, 35 Ill. Adm. Code 101.522 and 105.116. In support thereof, Respondent states as follows:

1. On August 30, 2024, Prairie State Generating Company, LLC (“Petitioner”) filed a Petition for Hearing requesting that the Illinois Pollution Control Board (“Board”) review Illinois EPA’s “failure to take final action on Prairie State’s Clean Air Act Permit Program (“CAAPP”) application.” (Petition for Hearing, at 1).
2. Pursuant to Sections 105.116(a) and 105.302(f) of the Board’s regulations, 35 Ill. Adm. Code 105.116(a) and 105.302(f), Illinois EPA is required to file an answer consisting of the administrative record by September 30, 2024.
3. In order to finalize Illinois EPA’s answer, Respondent requests an additional seven (7) days to compile and file Illinois EPA’s answer with the Board.

4. Counsel for Petitioner has been advised of Respondent's request for an extension of time to file Illinois EPA's answer, and counsel for Petitioner indicated that they have no objections to Respondent's request.

5. This request is made in good faith and not for purposes of delay. Granting of this Motion will not result in prejudice to any party.

WHEREFORE, for the reasons set forth above, Respondent Illinois EPA requests an extension of time until and including October 7, 2024, to file the administrative record.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY

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Dated: September 27, 2024

**CERTIFICATE OF SERVICE**

I, Cathy Formigoni, certify that on the 27th day of September, 2024, I caused to be served by Electronic Mail the foregoing **Notice of Filing, Appearance of Kevin D. Bonin and Consent to E-Mail Service**, and **Motion for an Extension of Time to File Administrative Record** to the parties listed below:

For the Petitioner

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For the Pollution Control Board

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[carol.webb@illinois.gov](mailto: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/ Cathy Formigoni  
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Paralegal  
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