

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

CHEVRON ENVIRONMENTAL)	
MANAGEMENT COMPANY,)	
)	
Petitioner,)	
)	
v.)	PCB No. 25-18
)	(Permit Appeal – NPDES)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

NOTICE OF ELECTRONIC FILING

To: *See Attached Service List*

PLEASE TAKE NOTICE that on May 22, 2025, I caused to be filed with the Office of the Clerk of the Illinois Pollution Control Board by electronic filing the attached Respondent's Motion to Extend Time for Filing Record, a copy of which is attached hereto and hereby served upon you.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

/s/ Taylor Desgrosseilliers
TAYLOR DESGROSSEILLIERS
Assistant Attorney General
Environmental Bureau
69 West Washington Street, Suite 1800
Chicago, Illinois 60602
(773) 505-5288
Primary email: t.desgrosseilliers@ilag.gov
Secondary email: maria.cacaccio@ilag.gov

SERVICE LIST

Bradley Halloran, Hearing Officer
Illinois Pollution Control Board
60 E. Van Buren St., Suite 630
Chicago, Illinois 60605
Brad.Halloran@illinois.gov

Alexander J. Bandza
Bruce White
BARNES & THORNBURG LLP
One North Wacker, Suite 4400
Chicago, IL 60606-2833
Bruce.White@btlaw.com
abandza@btlaw.com

CERTIFICATE OF SERVICE

I, Taylor Desgrosseilliers, an Assistant Attorney General, hereby certify that on the 22nd day of May, 2025, I caused to be served the foregoing Notice of Electronic Filing and Respondents Motion to Extend Time to File Record, upon the parties named on the attached Service List, via e-mail.

/s/ Taylor Desgrosseilliers

TAYLOR DESGROSSEILLIERS

Assistant Attorney General

Environmental Bureau

69 West Washington Street, Suite 1800

Chicago, Illinois 60602

(773) 505-5288

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Secondary email: maria.cacaccio@ilag.gov

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MOTION TO EXTEND TIME FOR FILING 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) and 35 Ill. Adm. Code 101.522, hereby moves for an extension of time until August 8, 2025, for filing the administrative record in this permit appeal. In support of its motion, Illinois EPA states as follows:

1. On November 25, 2024, after an agreed 90-day extension, Petitioner (“Chevron”) filed its Petition to Appeal Illinois EPA’s Issuance of a NPDES Permit (“Petition”) with the Illinois Pollution Control Board (“Board”).
2. On December 5, 2024, the Board accepted the Petition for hearing, and ordered that Illinois EPA must file the entire record of determination by December 26, 2024, 30 days after the Board received the Petition.
3. On December 19, 2024, after a status conference, the Board granted Illinois EPA additional time to file the permit record, and ordered Illinois EPA to file the entire record by February 27, 2025.
4. On January 30, 2025, after a second status conference, the Board granted Illinois

EPA additional time to file the permit record to allow parties time to meet and confer about the possibility of narrowing the issues on appeal, and ordered Illinois EPA to file the entire record by April 10, 2025.

5. On March 27, 2025, after a third status conference, the Board granted Illinois EPA additional time to file the permit record to allow parties time to meet and confer about the possibility of narrowing the issues on appeal, and ordered Illinois EPA to file the entire record by June 9, 2025.

6. Section 105.116 of the Board's Regulations regarding Appeals of Final Decisions of State Agencies, 35 Ill. Adm. Code 105.116, provides as follows:

- a) The State agency must file with the Board the entire record of the Agency's or OSFM's decision, as applicable, within 30 days after the filing of the petition for review, unless this Part provides otherwise, or the Board or hearing officer orders a different filing date. If the Agency or OSFM wishes to seek additional time to file its record, it must file a request for extension before the date on which its record is due to be filed. . . .
- b) The Agency record or OSFM record, as applicable, must be arranged in chronological sequence, or by category of material and chronologically within each category, and must be sequentially numbered with the letter "R" placed before the number of each page. The page number must appear in the top right corner of each page. The Agency record or OSFM record must be certified by the applicable State agency. The certification must be entitled "Certificate of Record on Appeal". The Certificate must contain an index that lists the documents comprising the Agency record or OSFM record and shows the page numbers upon which each document starts and ends. The Certificate of Record must be served on all parties by the State agency.

7. Section 101.522 of the Board's General Rules, 35 Ill. Adm. Code 101.522 provides as follows:

If a party's motion shows good cause, the Board or hearing officer may extend any deadline required by this Part. The motion may be filed either before or after the deadline requires.

8. Discussions between Chevron and Illinois EPA about the possibility of narrowing the issues raised in the permit appeal are ongoing. Illinois EPA is seeking additional time to prepare and file the entire record to allow time for those discussions to conclude.

9. Section 105.116(a) allows the Agency to seek additional time to file its record before the date on which the record is due to be filed. In this instance, Illinois EPA is seeking additional time before the June 9, 2025 due date. Illinois EPA believes that it will be able to provide a complete record within 60 additional days, by August 8, 2025.

10. The undersigned has contacted counsel for Chevron, who advised that he does not object to Illinois EPA's request.

11. Under Section 101.522 of the Board's General Rules, the Board or hearing officer may extend any deadline required under the Board's General Rules, which are "generally applicable to proceedings before the Illinois Pollution Control Board" (*see* Section 101.100(a)) if a party's motion shows good cause. In this instance, the requested extension would serve the good cause of ensuring a complete and accurate administrative record.

WHEREFORE, Respondent, the ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, respectfully requests that the Board or hearing officer enter an order: (i) granting its Motion; (ii) extending the deadline for Illinois EPA to file the record to August 8, 2025; and (iii) granting such other relief as the Board or hearing officer deems appropriate.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS
by KWAME RAOUL,
Attorney General of the
State of Illinois

BY: /s/ Taylor Desgrosseilliers
Taylor Desgrosseilliers
Assistant Attorney General
Environmental Bureau
69 W. Washington St., #1800
Chicago, Illinois 60602
(773) 505-5288
T.Desgrosseilliers@ilag.gov