

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

SOUTHWIND RAS I, LLC,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 2026 -014
	)	(Permit Appeal – Land)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

NOTICE OF FILING

TO: Mr. Don A. Brown	Brad Halloran
Clerk of the Board	Hearing Officer
Illinois Pollution Control Board	Illinois Pollution Control Board
60 E. Van Buren Street, Suite 630	60 E. Van Buren Street, Suite 630
Chicago, Illinois 60605	Chicago, Illinois 60605
don.brown@illinois.gov	brad.halloran@illinois.gov

VIA ELECTRONIC MAIL

(SEE PERSONS ON ATTACHED SERVICE LIST)

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board, **NOTICE OF OPEN WAIVER OF 120-DAY DECISION DEADLINE**, copies of which are hereby served upon you.

Respectfully submitted,
SOUTHWIND RAS I, LLC
Petitioner

Dated: August 28, 2025

By: /s/ Melissa S. Brown
One of Its Attorneys

Alec Messina
Melissa S. Brown
Michael P. Murphy
HEPLERBROOM, LLC
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CERTIFICATE OF SERVICE

I, the undersigned, on oath state the following: That I have served the attached **NOTICE OF OPEN WAIVER OF 120-DAY DECISION DEADLINE**, via electronic mail upon:

Don Brown
Clerk of the Board
Brad Halloran
Hering Officer
Illinois Pollution Board
60 E Van Buren Street, Suite 630
Chicago, Illinois 60605
Don.Brown@Illinois.Gov
Brad.Halloran@Illinois.Gov

Elizabeth Dubats
Cara Sawyer
Assistant Attorneys General
Office of the Attorney General
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Chicago, Illinois 60602
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That my email address is Melissa.Brown@heplerbroom.com.

That the number of pages in the email transmission is 4.

That I have sent the email transmission on August 28, 2025.

Date: August 28, 2025

/s/ Melissa S. Brown
Melissa Brown

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

SOUTHWIND RAS I, LLC,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 26-14
	)	(Permit Appeal – Land)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

NOTICE OF OPEN WAIVER OF 120-DAY DECISION DEADLINE

Petitioner, SOUTHWIND RAS I, LLC (“Southwind”), by and through its attorneys, pursuant to 35 Ill. Adm. Code 101.308(c)(1), hereby agrees to an open waiver of the statutory 120-day decision deadline for final action by the Illinois Pollution Control Board (“Board”) in the above-referenced action. In support of this Notice, Petitioner states as follows:

1. On August 13, 2025, Petitioner filed a Petition for Review (“Petition”) of the Illinois Environmental Protection Agency’s (“Illinois EPA”) July 9, 2025 disapproval of Petitioner’s request for a beneficial use determination (“BUD”) for Petitioner’s facility located in Romeoville, Illinois.
2. On August 21, 2025, the Board accepted Petitioner’s Petition for hearing. Board Order, *Southwind RAS I, LLC v. Illinois EPA*, PCB 26-14, (Ill.Pol.Control.Bd. Aug. 21, 2025).
3. Petitioner hereby submits an open waiver of the 120-day statutory deadline decision.
4. Petitioner reserves the right to reinstate the 120-day decision period pursuant to 35 Ill. Adm. Code 101.308(c)(1).

WHEREFORE, Petitioner, SOUTHWIND RAS I, LLC, prays that the Illinois Pollution Control Board accepts this open waiver of the statutory 120-day decision deadline for final action on Petitioner's Petition for Review.

Respectfully submitted,

SOUTHWIND RAS I, LLC,
Petitioner,

Dated: August 28, 2025

By: /s/ *Melissa S. Brown*
One of Its Attorneys

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