

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
) R 2022-18(A)
PROPOSED AMENDMENTS TO)
GROUNDWATER QUALITY) (Rulemaking)
35 ILL. ADM. CODE 620 (SUBDOCKET A))

NOTICE

TO: Don A. Brown, Clerk
Illinois Pollution Control Board
60 E. Van Buren Street
Suite 630
Chicago, Illinois 60605
(VIA ELECTRONIC MAIL)

Chloe Salk, Hearing Officer
Vanessa Horton, Hearing Officer
Illinois Pollution Control Board
60 E. Van Buren Street
Suite 630
Chicago, Illinois 60605
(VIA ELECTRONIC MAIL)

See attached Service List

PLEASE TAKE NOTICE that I have today electronically filed with the Office of the Clerk of the Illinois Pollution Control Board Illinois Environmental Protection Agency's Motion for Extension of Time to Respond to Board's October 30, 2025 Order, a copy of which are herewith served upon you along with this notice.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: /s/ Trevor D. Dell'Aquila
Trevor D. Dell'Aquila
Assistant Counsel
Division of Legal Counsel

DATED: November 4, 2025
115 South LaSalle Street
Suite 2203
Chicago, Illinois 60603
312-832-0025
trevor.dellaquila@illinois.gov

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
) R 2022-18(A)
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**ILLINOIS ENVIRONMENTAL PROTECTION AGENCY’S MOTION FOR EXTENSION OF TIME TO
RESPOND TO BOARD’S OCTOBER 30, 2025 ORDER**

The Illinois Environmental Protection Agency (“Illinois EPA” or “Agency”), by and through its attorney, hereby submits its Motion for Extension of Time to Respond to the Illinois Pollution Control Board’s (“Board”) October 30, 2025 Order. The Agency states as follows:

1. On October 30, 2025, the Board served its Hearing Officer Order which made two additional information requests directed to the Illinois EPA. The Hearing Officer Order directed the Agency to file a written response by December 1, 2025. Hearing Officer Order (October 30, 2025), p. 1, *Proposed Amendments to Groundwater Quality 35 Ill. Adm. Code 620 (Subdocket A)*, R2022-018(A).

2. The Board’s Hearing Officer Order requested the following information from the Agency:

1. Please provide the most recent groundwater monitoring reports for the 97 35 Ill. Adm. Code 807 landfills in the State. If IEPA does not have recent groundwater data for any of these 97 landfills, please provide a status of the landfill.
2. Please provide a GIS map (or equivalent) that shows the overlay of 35 Ill. Adm. Code 807, 811, and 814 landfills in the State along with the underlying Class I potable ground water resource aquifers, any regulated recharge areas delineated under Part 617, and public water supply wells setback zones located within 1,000 feet from the edge of the landfill unit or zone of attenuation.

Id.

3. The information the Board requests is not readily available and will be labor intensive for the Agency to assemble and difficult to produce a comprehensive response by the December 1, 2025 deadline.

4. The Board's first request is for any existing groundwater monitoring reports for the 97 35 Ill. Adm. Code 807 ("Part 807") landfills in the State. The documents containing the requested information exist largely in physical format in the Agency Division of Records and it will require time to locate the correct files, pull out the relevant information, and compile into a usable format for the Board for each of the sites.

5. The Board's second request includes several requests: (i) geolocating and mapping each Part 807, 35 Ill. Adm. Code 811, and 814 ("Part 811" and "Part 814") landfills; (ii) geolocating and mapping the boundaries of all Class I potable groundwater resource aquifers under or near each landfill; (iii) geolocating and mapping the boundaries of any regulated recharge areas delineated under 35 Ill. Adm. Code 671 that underly or are near a landfill; and (iv) geolocating and mapping public water supply wells setback zones located with 1,000 feet from the edge of a landfill unit or zone of attenuation. This will require some assistance from the Department of Innovation and Technology and involves creating a new GIS map, drawing from multiple data sources.

6. The Agency does not have the staff resources readily available to respond to the Board's requests in the provided timeline.

7. In order to respond to the Board's requests by the December 1, 2025 deadline, Agency project managers would have to be taken off of their current priorities, which includes permit reviews that have regulatory deadlines.

8. In order to complete the work required for the GIS map, staff responsible for such work would be required to delay projects and request extensions of existing project deadlines from the applicants.

9. Responding to the Board's requests by the December 1, 2025 deadline would unduly burden the Illinois EPA by requiring the Agency to divert staff from permit reviews and suspend and delay other GIS projects, and would require Agency staff to balance responding to these requests with other projects that are under deadlines.

10. 35 Ill. Adm. Code 101.522 states "[i]f 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 expires." 35 Ill. Adm. Code 101.522.

11. The Agency has determined that it requires additional time to prepare responses to the Board's October 30, 2025 Order. Accordingly, the Illinois EPA seeks an extension of the deadline to respond to the October 30, 2025 Order. The Agency proposes a new deadline of Friday, January 30, 2026.

12. Allowing additional time to respond to the Board's requests would not interfere with or otherwise delay these proceedings, as there currently are no future scheduled dates in this matter.

WHEREFORE, the Illinois Environmental Protection Agency respectfully requests that the Illinois Pollution Control Board grant its Motion for Extension of Time to Respond to Board's October 30, 2025 Order and extend the deadline to respond to January 30, 2026.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: /s/ Trevor D. Dell'Aquila
Trevor D. Dell'Aquila
Assistant Counsel
Division of Legal Counsel

DATED: November 4, 2025
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CERTIFICATE OF SERVICE

I, the undersigned, an attorney, state the following:

I have served the attached Illinois Environmental Protection Agency's Motion for Extension of Time to Respond to Board's October 30, 2025 Order upon the following:

See attached Service List

I affirm that my e-mail address is trevor.dellaquila@illinois.gov; the number of pages in the e-mail transmission is 8; and the e-mail transmission took place before 5:00 p.m. on November 4, 2025.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: /s/ Trevor D. Dell'Aquila
Trevor D. Dell'Aquila
Assistant Counsel
Division of Legal Counsel

DATED: November 4, 2025
115 South LaSalle Street
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SERVICE LIST

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