

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

WASTE MANAGEMENT OF ILLINOIS, INC.,	)	
	)	
Petitioner,	)	
	)	PCB 25-9, 25-10
v.	)	(Permit Appeal – RCRA)
	)	(Consolidated)
ILLINOIS ENVIRONMENTAL PROTECTION	)	
AGENCY,	)	
	)	
Respondent.	)	

NOTICE OF FILING

TO: Attached Service List Via Email

PLEASE TAKE NOTICE that on August 25, 2026, I caused to be filed with the Clerk of the Illinois Pollution Control Board in the above referenced case via the “COOL” System the attached Respondent’s Unopposed Motion for Extension of Time to File Response to Petitioner’s Motion to Compel, hereto attached and hereby served upon you.

ILLINOIS ENVIRONMENTAL PROTECTION
AGENCY,

By: /s/ Nancy J. Tikalsky
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CERTIFICATE OF SERVICE

I, Nancy J. Tikalsky, Senior Assistant Attorney General, hereby certify that on the 25th of August 2026, I caused to be served the foregoing Notice of Electronic Filing and Respondent's Unopposed Motion for Extension of Time to File Response to Petitioner's Motion to Compel, upon the parties named on the attached Service List via email.

/s/ Nancy J. Tikalsky
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AGENCY,	)	
	)	
Respondent.	)	

**RESPONDENT’S UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE
RESPONSE TO PETITIONER’S MOTION TO COMPEL**

Pursuant to Sections 101.500, 101.502 and 101.522 of the Illinois Pollution Control Board General Rules (“Board General Rules”) 35 Ill. Adm. Code 101.500, 101.502 and 101.522, Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY (“Illinois EPA”), requests the Hearing Officer for an extension of time to file the Illinois EPA Response to Waste Management of Illinois, Inc.’s Motion to Compel Production of Documents (“Motion to Compel”) (“Response”). In support thereof, the Respondent states as follows:

1. On August 20, 2026, Respondent received service of Petitioner’s Motion to Compel.
2. Section 101.500(d) of the Board General Rules, 35 Ill. Adm. Code 101.500, requires a response to Motions to be filed within 14 days of service. Here, any Response would be due by September 4, 2026.
3. Of the 2 attorneys assigned this matter for the Respondent, one is out of the office on leave through October 2026, and the second attorney has scheduling issues in another case, which includes filing responses to two separate Motions to Dismiss a Complaint in another matter, which are to be filed with the Kane County Circuit Court by September 2, 2026.

Accordingly, it would not leave enough time for Respondent to submit a thoughtful and thorough Response to Petitioner's Motion to Compel.

4. In addition, from September 7 through 17, 2026, the second attorney for the Respondent is out of the office where there is no access to internet service.

5. The Respondent has notified the Petitioner of these time constraints by email correspondence and expressed no objection to Respondent requests for an extension of time to file Illinois EPA's Response by September 25, 2026. As requested by Petitioner, also does not object to Petitioner filing a Reply to Illinois EPA's Response.

6. Pursuant to 35 Ill. Adm. Code 101.522, Respondent has shown good cause, that this motion is not being brought for the purpose of delaying the progress of this case and Petitioner will not be prejudiced by granting this motion and extending the deadline for filing the Respondent's Response to Petitioner's Motion to Compel to September 25, 2026.

WHEREFORE, the Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, requests the Hearing Officer for an extension of time to file the Illinois EPA Response to Waste Management of Illinois, Inc.'s Motion to Compel Production of Documents until September 25, 2026.

Respectfully submitted,

Respondent,
ILLINOIS ENVIRONMENTAL PROTECTION
AGENCY

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