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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

CLINTON LANDFILL, INC.,

Petitioner,

v.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,

Respondent.

PCB 15-60 (Permit Appeal - Land)

NOTICE OF ELECTRONIC FILING

PLEASE TAKE NOTICE that on the 16th day of October 2014, I have filed with the Office of the Clerk of the Pollution Control Board Respondent's Motion for Waiver of Copy Requirements. A copy of which is attached hereto and served upon the persons listed in the attached Service List.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

By LISA MADIGAN Attorney General of the State of Illinois

Van Wie

Jennifer A. Van Wie Assistant Attorney General Environmental Bureau 69 W. Washington Street, Suite 1800 Chicago Illinois, 60602 (312)814-0609 jvanwie@atg.state.il.us

Date: October 16, 2014

THIS FILING IS SUBMITTED ON RECYCLED PAPER

SERVICE LIST

For Petitioner:

Brian J. Meginnes Janaki Nair Elias, Meginnes, Riffle & Seghetti, P.C. 416 Main Street, Suite 1400 Peoria, Illinois 61602-1153 (By electronic mail at <u>bmeginnes@emrslaw.com</u> and <u>jnair@emrslaw.com</u>)

For Respondent:

James Jennings Division of Legal Counsel Illinois Environmental Protection Agency 1021 North Grand Avenue East P.O. Box 19276 Springfield, Illinois 62794-9276 (By electronic mail)

For the Illinois Pollution Control Board:

Carol Webb Hearing Officer Illinois Pollution Control Board 1021 North Grand Avenue East P.O. Box 19274 Springfield, Illinois 62794-9274 (Motion for Waiver of Copy Requirements only - by electronic mail at <u>carol.webb@illinois.gov</u>)

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

CLINTON LANDFILL, INC.,
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v.
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,
Respondent.

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MOTION FOR WAIVER OF COPY REQUIREMENTS

Now comes Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY ("IEPA"), by LISA MADIGAN, Attorney General of the State of Illinois, and pursuant to 35 Ill. Adm. Code 101.500, moves the Illinois Pollution Control Board ("Board") to waive certain requirements, namely that the Respondent submit an original and four (4) copies of its record of decision ("Record") in the issuance of Modification No. 47 to Permit No. 2005-070-LF. In support of its Motion, the Respondent states as follows:

 Section 101.302(h)(2) of the Board's procedural rules requires that an original and four (4) copies of the record required by Section 105.116 be filed with the Clerk. 35 Ill. Adm. Code 101.302(h)(2).

2) The Record in the above-captioned matter is thousands of pages in length.

3) Given the length of the Record and the resources required to provide four (4) copies, the Respondent requests that the Board waive the normal copy requirements of Section 101.302(h)(2) and allow the Respondent to instead file an original and two (2) copies of the Record.

Electronic Filing - Received, Clerk's Office : 10/16/2014

WHEREFORE, for the reasons set forth above, the Respondent moves that the Board waive the copy requirement and allow the Respondent to provide the Board with an original and two (2) copies of the Record.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECION AGENCY

By LISA MADIGAN Attorney General of the State of Illinois

MATTHEW J. DUNN, Chief, Environmental Enforcement/ Asbestos Litigation Division

BY:

STEPHEN J. SYLVESTEP JENNIFER A. VAN WIE Assistant Attorneys General Environmental Bureau Illinois Attorney General's Office 69 W. Washington Street, Suite 1800 Chicago, Illinois 60602 (312) 814-2087 (312) 814-0609 <u>ssylvester@atg.state.il.us</u> jvanwie@atg.state.il.us

DATE: October 16, 2014

THIS FILING IS SUBMITTED ON RECYCLED PAPER

CERTIFICATE OF SERVICE

I, JENNIFER A. VAN WIE, an attorney, do certify that I caused Respondent's Motion for Waiver of Copy Requirements in this matter to be served upon the persons listed in the Service List at the electronic mail addresses as detailed in the Service List.

JENNIFER A VAN WIE

Date: October 16, 2014