

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

<b>LANDFILL 33, LTD.,</b>	)	
	)	
<b>Petitioner,</b>	)	
	)	
<b>v.</b>	)	<b>PCB No. 20-18</b>
	)	<b>(Permit Appeal–Land)</b>
<b>ILLINOIS ENVIRONMENTAL</b>	)	
<b>PROTECTION AGENCY,</b>	)	
	)	
<b>Respondent.</b>	)	

**NOTICE OF FILING**

To: See Attached Service List

PLEASE TAKE NOTICE that on November 7, 2019, I electronically filed with the Clerk of the Pollution Control Board of the State of Illinois a MOTION FOR EXTENSION OF TIME TO FILE ADMINISTRATIVE RECORD, a copy of which is attached hereto and herewith served upon you.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS,

KWAME RAOUL  
Attorney General of the State of Illinois

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

BY: /s/ Christina L. Nannini  
CHRISTINA L. NANNINI  
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Dated: November 7, 2019

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<b>PROTECTION AGENCY,</b>	)	
	)	
<b>Respondent.</b>	)	

**MOTION FOR EXTENSION OF TIME TO FILE ADMINISTRATIVE RECORD**

Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, by and through its attorney KWAME RAOUL, Attorney General of the State of Illinois, and pursuant to 35 Ill. Adm. Code 105.116, hereby moves for an extension of time to file the Administrative Record in this matter. In support of this Motion, Respondent states as follows:

1. On September 6, 2019, Respondent, the Illinois Environmental Protection Agency (“Agency”), denied review of an application for significant modification submitted by Petitioner regarding a municipal solid waste landfill facility in Effingham County, located at 1713 S. Willow Street, Effingham, Illinois, 62401.
2. On October 9, 2019, Petitioner filed a petition for review challenging the Agency’s September 6, 2019 decision.
3. Pursuant to Section 105.116(a) of this Board’s rules, 35 Ill. Adm. Code 105.116(a), the Agency is required to file the administrative record of its permit decision with the Board within 30 days after the filing of the petition for review. Here, the administrative record must be filed with the Board by Tuesday, November 12, 2019.
4. Section 105.116(a) provides in pertinent part that if the Agency “wishes to seek additional time to file the record, it must file a request for extension before the date on which the

record is due to be filed.” 35 Ill. Adm. Code 105.116(a).

5. Due to the voluminous record in this matter, the task of preparing the administrative record cannot be completed by the filing deadline.

6. The Agency in good faith believes that an additional 14 days, through November 26, 2019, will be adequate to allow for the necessary preparation and copying of the administrative record in this matter.

7. Counsel for Petitioner has indicated to counsel for Respondent that Petitioner has no objection to this request.

WHEREFORE, for the reasons stated above, the Respondent requests that the Board grant this request for extension of the filing deadline.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS,

KWAME RAOUL  
Attorney General of the State of Illinois

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

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Dated: November 7, 2019

**CERTIFICATE OF SERVICE**

I hereby certify that I did on November 7, 2019, cause to be served by electronic mail, a true and correct copy of the following instruments entitled NOTICE OF FILING and MOTION FOR EXTENSION OF TIME TO FILE ADMINISTRATIVE RECORD upon the persons listed on the Service List.

BY: /s/ Christina L. Nannini  
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