

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
) AS 2021-006
Petition of Southern Illinois Power Cooperative)
for an Adjusted Standard from 35 Ill. Admin.)
Code Part 845 or, in the Alternative,) (Adjusted Standard)
a Finding of Inapplicability)

To: See attached service list.

NOTICE OF ELECTRONIC FILING

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board the Illinois Environmental Protection Agency’s Motion for Extension of Time, a copy of which is herewith served upon you.

Respectfully submitted,

Dated: May 28, 2021

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Christine Zeivel, #6298033
Division of Legal Counsel
Illinois Environmental Protection Agency
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(217) 782-5544
Christine.Zeivel@Illinois.gov

Respondent,

BY: /s/Christine Zeivel
Christine Zeivel

THIS FILING IS SUBMITTED ELECTRONICALLY

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ILLINOIS POLLUTION CONTROL BOARD
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MOTION FOR EXTENSION OF TIME

The Illinois Environmental Protection Agency (“Illinois EPA” or “Agency”), by and through its attorney, hereby submits its Motion for Extension of Time and requests a 90-day extension of time, up to and including Thursday, September 23, 2021, to file its recommendation concerning the Petition of Southern Illinois Power Cooperative for Adjusted Standards from 35 Ill. Admin. Code, Part 845, stating as follows:

1. On May 11, 2021, Petitioner filed its Petition for Adjusted Standards from 35 Ill. Admin. Code, Part 845.
2. The Agency’s recommendation must be filed with the Board within 45 days after the filing of the petition, *i.e.*, by June 25, 2021. 35 Ill. Admin. Code. 104.416 Agency Recommendation and Petitioner Response.
3. On May 11, 2021, eight petitions for adjusted standards and three petitions for variances were filed with the Board concerning Part 845. Many of these petitions seek adjusted standards or variances for multiple CCR surface impoundments.
4. The Agency is currently reviewing these petitions, but, due to the number of petitions received and number of CCR surface impoundments at issue, the Agency anticipates it will need additional time to review and develop recommendations.

5. The Agency has conducted an initial review and, based on certain factors, including timing and potential threat to the environment, has determined which petitions it believes should be addressed first.

6. Based on the Agency's review and the number of recommendations the Agency must complete, the Agency requests the Board extend the deadline to file its recommendation concerning the Petition of Southern Illinois Power Cooperative for Adjusted Standards from 35 Ill. Admin. Code, Part 845, to September 23, 2021.

7. Counsel for the Agency contacted counsel for Southern Illinois Power Cooperative, who indicated they have no objection to the requested extension of time.

WHEREFORE, the Agency requests the Illinois Pollution Control Board grant its Motion for Extension of Time, and grant the Agency an additional 90 days, up to and including September 23, 2021, to file its recommendation with the Board.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Respondent,

/s/Christine Zeivel
Christine Zeivel, #6298033
Division of Legal Counsel
Illinois Environmental Protection Agency
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P.O. Box 19276
Springfield, IL 62794-9276
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Christine.Zeivel@Illinois.gov

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CERTIFICATE OF SERVICE

I, the undersigned, on affirmation certify the following:

That I have served the attached **MOTION FOR EXTENSION OF TIME** by e-mail upon the following:

Stephen J. Bonebrake	sbonebrake@schiffhardin.com
Amy Antonioli	aantonioli@schiffhardin.com
Katherine Walton	kw Walton@schiffhardin.com
Don Brown	Don.Brown@illinois.gov

That I have served the attached **MOTION FOR EXTENSION OF TIME** upon any other persons, if any, listed on the Service List, by placing a true copy in an envelope duly address bearing proper first-class postage in the United States mail at Springfield, Illinois on May 28, 2021.

That my e-mail address is Christine.Zeivel@Illinois.gov

That the number of pages in the e-mail transmission is five (5).

That the e-mail transmission took place before 4:30 p.m. on the date of May 28, 2021.

/s/Christine Zeivel
May 28, 2021