

ILLINOIS POLLUTION CONTROL BOARD

BRANDIS AIRCRAFT,)	
)	
Petitioner,)	
)	
v.)	PCB 21-112
)	(Permit Appeal - RCRA)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

NOTICE OF FILING

To: See attached Certificate of Service.

PLEASE TAKE NOTICE that on June 21, 2021, I filed with the Office of the Clerk of the Pollution Control Board this Notice of Filing and Respondent's Motion for Extension of Time to File Administrative record, copies of which are hereby served upon you.

KWAME RAOUL
ATTORNEY GENERAL

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

BY: /s/ Raymond J. Callery
RAYMOND J. CALLERY
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MOTION FOR EXTENSION OF TIME TO FILE ADMINISTRATIVE RECORD

Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY (“Illinois EPA”), by and through its attorney, KWAME RAOUL, Attorney General of the State of Illinois, pursuant to 35 Ill. Adm. Code 105.116(a) submits its Motion for Extension of Time to File Administrative Record, stating as follows in support:

1. On June 3, 2021, this honorable Board ordered the Respondent to “file the entire record of its determination by June 24, 2021, which is 30 days after the Board received petitioner’s petition.”
2. Section 105.116(a) of this Board’s rules provides, in pertinent part, that “[i]f the State 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).
3. A Request for Certification of Closure was reviewed by Illinois EPA’s William T. Sinnott, II. Mr. Sinnott has been out of the office from June 8, 2021 and is expected to return on June 22, 2021.
4. Due to the absence of Mr. Sinnott, the Illinois EPA and its counsel has been unable to determine the proper scope of the documents to be included in the record.

5. To provide the Illinois EPA and its counsel with the additional time necessary to review the aforementioned records for possible inclusion in the administrative record and to then prepare the administrative record for filing, the Respondent seeks a twenty-one (21) day extension of the time to file the administrative record in this action.

WHEREFORE, the Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, prays that this honorable Board or the honorable Hearing Officer ALLOW the Respondent's MOTION FOR EXTENSION OF TIME TO FILE ADMINISTRATIVE RECORD and extend the time for the Respondent to file the administrative record in this action by twenty-one (21) days until July 16, 2021.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Respondent,

By: /s/ Raymond J. Callery
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Brandis Aircraft v. Illinois Environmental Protection Agency
Pollution Control Board No. 21-112

CERTIFICATE OF SERVICE

I hereby certify that I did on June 21, 2021, caused to be served by e-mail true and correct copies of the documents entitled Notice of Filing and Respondent's Motion for Extension of Time to File Administrative Record upon:

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Carol Webb
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Springfield IL 62794-9274
Carol.Webb@illinois.gov

s/Theresa M. Flinn
Theresa M. Flinn
Administrative Secretary

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this certificate of service are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that she verily believes the same to be true.

s/Theresa M. Flinn
Theresa M. Flinn
Administrative Secretary