

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

BFI WASTE SYSTEMS)	
OF NORTH AMERICA, LLC,)	
)	
Petitioner,)	
)	
v.)	PCB No. 2026-030
)	(Permit Appeal - RCRA)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

NOTICE OF ELECTRONIC FILING

To: *See Attached Service List*

PLEASE TAKE NOTICE that on November 20, 2025, I caused to be filed with the Office of the Clerk of the Illinois Pollution Control Board by electronic filing the attached Respondent's Motion to Extend Time for Filing Record, a copy of which is attached hereto and hereby served upon you.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS
by KWAME RAOUL,
Attorney General of the
State of Illinois

/s/ Rebecca Kanz
REBECCA KANZ
Assistant Attorney General
Environmental Bureau
69 West Washington Street, Suite 1800
Chicago, Illinois 60602
(312) 814-3531
Primary email: rebecca.kanz@ilag.gov
Secondary email: maria.cacaccio@ilag.gov

SERVICE LIST

Bradley Halloran, Hearing Officer
Illinois Pollution Control Board
60 E. Van Buren St., Suite 630
Chicago, Illinois 60605
Brad.Halloran@illinois.gov

Scott B. Sievers
Ill. Atty. Reg. No. 6275924
Brown, Hay & Stephens, LLP
P.O. Box 2459
205 S. Fifth Street
Springfield, Illinois 62705
(217) 544-8491 (telephone)
(217) 544-9609 (facsimile)
ssievers@bhslaw.com

CERTIFICATE OF SERVICE

I, Rebecca Kanz, an Assistant Attorney General, hereby certify that on the 20th day of November, 2025, I caused to be served the foregoing Notice of Electronic Filing and Respondent's Motion to Extend Time for Filing Record, upon the parties named on the attached Service List, via e-mail.

/s/ Rebecca Kanz

REBECCA KANZ

Assistant Attorney General

Environmental Bureau

69 West Washington Street, Suite 1800

Chicago, Illinois 60602

(312) 814-3531

Primary email: Rebecca.kanz@ilag.gov

Secondary email: maria.cacaccio@ilag.gov

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

BFI WASTE SYSTEMS)	
OF NORTH AMERICA, LLC,)	
)	
Petitioner,)	
)	
v.)	PCB No. 2026-030
)	(Permit Appeal - RCRA)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

MOTION TO EXTEND TIME FOR FILING RECORD

Now Comes Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, through its counsel, the Illinois Attorney General's Office, and hereby requests that the Board allow additional time, until December 31, 2025, for filing the administrative record in this matter.

In support of its request, Respondent states as follows:

1. On October 30, 2025, Petitioner filed its Petition for Review of Illinois EPA Decision ("Petition") with the Board.

2. On November 6, 2025, the Board accepted the Petition for hearing, and ordered that Illinois EPA must file the entire record of determination by December 1, 2025.

3. Section 105.116 of the Board's Regulations regarding Appeals of Final Decisions of State Agencies, 35 Ill. Adm. Code 105.116, provides as follows:

- a) The State agency must file with the Board the entire record of the Agency's or OSFM's decision, as applicable, within 30 days after the filing of the petition for review, unless this Part provides otherwise, or the Board or hearing officer orders a different filing date. If the Agency or OSFM wishes to seek additional time to file its record, it must file a request for extension before the date on which its record is due to be filed. . . .
- b) The Agency record or OSFM record, as applicable, must be arranged in

chronological sequence, or by category of material and chronologically within each category, and must be sequentially numbered with the letter “R” placed before the number of each page. The page number must appear in the top right corner of each page. The Agency record or OSFM record must be certified by the applicable State agency. The certification must be entitled “Certificate of Record on Appeal”. The Certificate must contain an index that lists the documents comprising the Agency record or OSFM record and shows the page numbers upon which each document starts and ends. The Certificate of Record must be served on all parties by the State agency.

4. Section 101.522 of the Board’s General Rules, 35 Ill. Adm. Code 101.522, provides as follows:

If a party’s motion shows good cause, the Board or hearing officer may extend any deadline required by this Part. The motion may be filed either before or after the deadline requires.

5. Despite its best efforts, due to the size of the record, Respondent will be unable to organize, categorize, and number the entire permit record by December 1, 2025. Respondent believes that it will be able to provide a complete record within 30 additional days, or by December 31, 2025.

6. Section 105.116(a) allows the Agency to seek additional time to file its record before the date on which the record is due to be filed. In this instance, Respondent is seeking additional time before the December 1, 2025 due date. Respondent believes that it will be able to provide a complete record within 30 additional days, by December 31, 2025.

7. Under Section 101.522 of the Board’s General Rules, the Board or hearing officer may extend any deadline required under the Board’s General Rules, which are “generally applicable to proceedings before the Illinois Pollution Control Board” (*see* Section 101.100(a)) if a party’s motion shows good cause. In this instance, the requested extension would serve the good cause of ensuring a complete and accurate administrative record.

8. The undersigned has contacted counsel for Petitioner, who advised that he does not

object to Respondent's request.

WHEREFORE, Respondent, the ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, respectfully requests that the Board grant its Motion and extend the deadline for filing the permit record in this matter to December 31, 2025.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS
by KWAME RAOUL,
Attorney General of the
State of Illinois

BY: /s/ Rebecca Kanz
Assistant Attorney General
Environmental Bureau
69 W. Washington St., #1800
Chicago, Illinois 60602
(312) 814-3531
Rebecca.Kanz@ilag.gov