

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

WASTE MANAGEMENT OF ILLINOIS, INC.,)	
)	
Petitioner,)	
)	
v.)	PCB 25-9, 25-10
)	(Permit Appeal – RCRA)
)	(Consolidated)
ILLINOIS ENVIRONMENTAL PROTECTION)	
AGENCY,)	
)	
Respondent.)	

NOTICE OF FILING

To: Persons on attached service list (via electronic filing).

PLEASE TAKE NOTICE that today I have caused to be filed with the Office of the Clerk of the Pollution Control Board Respondent’s Unopposed Motion to Extend Response Date to Petitioner’s Motion *in Limine* in the above referenced case via the “COOL” System, a true and correct copy of which is attached and served upon you.

Respectfully submitted,

BY: /s/ Justin Bertsche
Justin Bertsche
Assistant Attorney General
Environmental Bureau
Illinois Attorney General’s Office
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(773) 505-5308

Date: April 2, 2026

Certificate of Service

I, JUSTIN BERTSCHE, an attorney, do hereby certify that today, April 2, 2026, I caused to be served on the individuals listed below, by electronic mail, a true and correct copy of Respondent's Unopposed Motion to Extend Response Date to Petitioner's Motion *in Limine*.

BY: /s/ Justin Bertsche
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Illinois Pollution Control Board

Mr. Brad Halloran
Hearing Officer
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Chicago, Illinois 60605
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Mr. Don Brown
Clerk of the Pollution Control Board
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Petitioner,)	
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**UNOPPOSED MOTION TO EXTEND RESPONSE DATE
TO PETITIONER’S MOTION *IN LIMINE***

NOW COMES Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY (“Illinois EPA”), by and through the Attorney General of the State of Illinois, KWAME RAOUL, and, pursuant to 35 Ill. Adm. Code 101.522, respectfully requests that the Hearing Officer extend the date for its response to Petitioner’s Motion in Limine to Limit Proceeding to Issues Raised in Appeal (“Motion *in Limine*”) by fourteen days until April 23, 2026. In support, Respondent states as follows:

1. On March 26, 2026, Petitioner filed its Motion *in Limine*.

2. On March 26, 2026, the Hearing Officer entered an order which provides, in pertinent part, as follows: “It is noted that petitioner filed a motion *in limine* today, March 26, 2026. Respondent stated that it will file a timely response.”

3. Section 101.500(d) of the Illinois Pollution Control Board’s (“Board”) General Rules, 35 Ill. Adm. Code 101.500(d), provides, in pertinent part, as follows:

(d) Within 14 days after service of a motion, a party may file a response to the motion

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 expires.

5. Pursuant to Section 101.500(d) of the Board's General Rules, 35 Ill. Adm. Code 101.500(d), Respondent's response to Petitioner's Motion *in Limine* is due April 9, 2026.

6. Counsel for Respondent has good cause for requesting an extension to respond to Petitioner's Motion *in Limine*. The requested extension will allow Respondent to provide the Hearing Officer with a complete, accurate, and well-researched brief on the novel legal issues raised in Petitioner's Motion *in Limine*, specifically as Petitioner's Motion relates to the discovery rules in an appeal proceeding based upon a fixed administrative record.

7. The undersigned has consulted with counsel for Petitioner who advised that she has no objection to extending Respondent's response deadline an additional fourteen days, until April 23, 2026.

8. Petitioner has provided an open waiver of the Board's decision deadline and granting this request will not unreasonably delay a resolution to this matter.

WHEREFORE, for the reasons stated herein, Respondent, Illinois EPA, respectfully requests that the Hearing Officer enter an order (i) granting Illinois EPA's Motion to Extend Response Date to Petitioner's Motion *in Limine* and (ii) enter an order extending Respondent's response date to Petitioner's Motion *in Limine* by fourteen days to April 23, 2026.

Respectfully submitted,

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

BY: /s/ Justin Bertsche
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