

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

BFI WASTE SYSTEMS)	
OF NORTH AMERICA, LLC,)	
)	
Petitioner,)	
)	
v.)	PCB No. 24-29
)	
ILLINOIS ENVIRONMENTAL)	(Permit Appeal -RCRA)
PROTECTION AGENCY,)	
)	
Respondent.)	

**MOTION TO EXTEND DEADLINE FOR REPLIES
TO SUMMARY JUDGMENT MOTION RESPONSES**

NOW COMES Petitioner, BFI WASTE SYSTEMS OF NORTH AMERICA, LLC, by and through its attorney, Scott B. Sievers of Brown, Hay + Stephens, LLP, and, pursuant to 35 Ill. Adm. Code 101.522, moves the honorable Hearing Officer to extend by five (5) days, to Wednesday, June 10, 2026, the deadline for the parties to file their respective replies to their opponent's summary judgment motion responses. In support, Petitioner states the following:

1. On May 21, 2026, Respondent Illinois Environmental Protection Agency ("Illinois EPA") made an oral motion to file a reply to Petitioner's summary judgment response. (Hearing Officer Order of May 21, 2026). The Hearing Officer granted said motion and set the parties' replies to be due tomorrow, Friday, June 5, 2026. *Id.*

2. Good cause exists to extend by five (5) days the deadline for the parties to file their respective replies to their opponent's summary judgment motion responses. While counsel for Petitioner has been researching and drafting his client's reply to Respondent's summary judgment motion response, additional time is needed to confer with his client regarding the reply to receive approval for filing it. Further, personnel involved in that

process are unavailable on June 5, 2026. Consequently, Petitioner moves the Hearing Officer to extend by five (5) days, to Wednesday, June 10, 2026, the deadline for the parties to file their respective summary judgment motion responses.

3. This motion is made in good faith and not for the purpose of undue delay.

4. Counsel for Petitioner has conferred with counsel for Respondent, Illinois EPA, and Respondent has no objection to this motion.

WHEREFORE, for the above reasons, Petitioner, BFI WASTE SYSTEMS OF NORTH AMERICA, LLC, moves the honorable Hearing Officer to extend by five (5) days, to Wednesday, June 10, 2026, the deadline for the parties to file their respective replies to their opponent's summary judgment motion responses, and for such other and further relief as deemed appropriate.

DATED: June 4, 2026

Respectfully submitted,

Scott B. Sievers
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BFI WASTE SYSTEMS
OF NORTH AMERICA, LLC,

Petitioner.

BY: s/Scott B. Sievers
Scott B. Sievers
Attorney for Petitioner

BFI Waste Systems of North America, LLC v. Illinois EPA
Pollution Control Board No. 24-29

CERTIFICATE OF SERVICE

Scott B. Sievers of the law firm of Brown, Hay + Stephens, LLP herein certifies that on June 4, 2026, from Springfield, Illinois, he electronically submitted for filing the foregoing **MOTION TO EXTEND DEADLINE FOR REPLIES TO SUMMARY JUDGMENT MOTION RESPONSES** with the Pollution Control Board by using the Clerk's Office On-Line (COOL) eFile system. Scott B. Sievers further certifies that on June 4, 2026, he served the other parties in this case with a copy of the foregoing document by transmitting the document by e-mail to the parties' representatives, who are identified below, at their designated e-mail addresses of record:

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VERIFICATION BY CERTIFICATION

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 instrument are true and correct, except as to matters herein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.

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