

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

AQUA ILLINOIS, INC.,)	
)	
Petitioner,)	
)	
v.)	PCB 2023-012
)	(Permit Appeal - Water)
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,)	
)	
Respondent.)	
)	

NOTICE OF FILING

To:	Don Brown Clerk of the Board Illinois Pollution Control Board 60 E. Van Buren St. Suite 630 Chicago, IL 60605 Don.Brown@illinois.gov	Ann Marie A. Hanohano Assistant Attorney General Environmental Bureau Office of the Illinois Attorney General 69 W. Washington St., 18th Floor Chicago, IL 60602 annmarie.hanohano@ilag.gov
	Brad Halloran Hearing Officer Illinois Pollution Control Board 60 E. Van Buren St. Suite 630 Chicago, IL 60605 Brad.Halloran@illinois.gov	Christopher Grant Senior Assistant Attorney General Environmental Bureau Office of the Illinois Attorney General 69 W. Washington St., 18th Floor Chicago, IL 60602 Christopher.Grant@ilag.gov
	Kathryn A. Pamenter Senior Assistant Attorney General Environmental Bureau Office of the Illinois Attorney General 69 W. Washington St., 18th Floor Chicago, IL 60602 Kathryn.Pamenter@ilag.gov	

PLEASE TAKE NOTICE that today I have electronically filed with the Office of the Clerk of the Illinois Pollution Control Board the attached **PETITIONER'S RESPONSE TO**

RESPONDENT'S MOTION FOR PERMISSION TO FILE AMENDED RECORD ON APPEAL and **CERTIFICATE OF SERVICE**, copies are which are herewith served upon you.

Dated: September 16, 2022

/s/ Sarah L. Lode
One of its Attorneys

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Attorneys for Aqua Illinois, Inc.

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PROTECTION AGENCY,)	
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**PETITIONER’S RESPONSE TO RESPONDENT’S MOTION
FOR PERMISSION TO FILE AMENDED RECORD ON APPEAL**

Petitioner Aqua Illinois, Inc. (“Aqua”), by and through its counsel, ArentFox Schiff LLP, respectfully responds to Respondent, the Illinois Environmental Protection Agency’s (“IEPA” or the “Agency”), September 2, 2022, Motion for Permission to File Amended Record on Appeal (“Motion to File Amended Record”) and states as follows, using terms defined in Petitioner’s Petition for Review:

1. As Petitioner already has voluntarily withdrawn the Petition for Review as to Additional Condition Nos. 4 and 5 (*see* Petitioner’s Response as to Additional Condition Nos. 4 and 5 (filed Sept. 14, 2022)), Petitioner does not oppose Respondent’s Motion to File Amended Record in so far that it accurately limits the record to those documents related to Petitioner’s remaining appeal regarding Additional Condition No. 6.
2. Petitioner reserves the right to move to supplement the record to include additional documentation following the close of discovery.

Respectfully submitted,

Aqua Illinois, Inc.

Dated: September 16, 2022

/s/ Daniel J. Deeb
One of its Attorneys

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Attorneys for Aqua Illinois, Inc.

CERTIFICATE OF SERVICE

I, the undersigned, certify that on this 16th day of September, 2022:

I have electronically served a true and correct copy of Petitioner's Response to Respondent's Motion for Permission to File Amended Record on Appeal by electronically filing with the Clerk of the Illinois Pollution Control Board and by e-mail upon the following persons:

To: Don Brown Clerk of the Board Illinois Pollution Control Board 60 E. Van Buren St. Suite 630 Chicago, IL 60605 Don.Brown@illinois.gov	Ann Marie A. Hanohano Assistant Attorney General Environmental Bureau Office of the Illinois Attorney General 69 W. Washington St., 18th Floor Chicago, IL 60602 annmarie.hanohano@ilag.gov
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Kathryn A. Pamenter Senior Assistant Attorney General Environmental Bureau Office of the Illinois Attorney General 69 W. Washington St., 18th Floor Chicago, IL 60602 Kathryn.Pamenter@ilag.gov	

My e-mail address is Sarah.Lode@afslaw.com.

The number of pages in the e-mail transmission is 6.

The e-mail transmission took place before 5:00 p.m.

/s/ Sarah L. Lode

Sarah L. Lode

Dated: September 16, 2022

Daniel J. Deeb
Alex Garel-Frantzen
Sarah L. Lode
ARENTFOX SCHIFF LLP

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