

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

| | | |
|-----------------------------------|---|-----------------------|
| PQ LLC, |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| v. |) | PCB 2023-015 |
| |) | (Permit Appeal - Air) |
| ILLINOIS ENVIRONMENTAL PROTECTION |) | |
| AGENCY, |) | |
| |) | |
| Respondent. |) | |

NOTICE OF ELECTRONIC FILING

To: *See Attached Service List*

PLEASE TAKE NOTICE that on the 23rd of September, 2022, 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 for Extension of Time to File the Record, a copy of which is attached hereto and hereby served upon you.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

/s/ Molly Kordas
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CERTIFICATE OF SERVICE

I, Molly Kordas, an Assistant Attorney General, hereby certify that on the 23rd day of September, 2022, I caused to be served the foregoing Notice of Electronic Filing and Respondent's Motion for Extension of Time to File the Record upon the parties named on the attached Service List, via e-mail or electronic filing as indicated.

/s/ Molly Kordas

Molly Kordas

Assistant Attorney General

Environmental Bureau

Office of the Illinois Attorney General

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| Petitioner, |) | PCB No. 2023-015 |
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| |) | |
| Respondent. |) | |

RESPONDENT’S MOTION FOR EXTENSION OF TIME TO FILE THE RECORD

NOW COMES Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY (“Illinois EPA”), by and through the Attorney General of the State of Illinois (“AGO”), KWAME RAOUL, and pursuant to 35 Ill. Adm. Code 105.116(a), hereby moves for an extension of time until December 16, 2022 in which to file Illinois EPA’s record for this permit appeal. In support of this motion, the Respondent states as follows:

1. On August 11, 2022, the Illinois Pollution Control Board (“Board”) ordered Illinois EPA to file the entire record of its determination by August 17, 2022, unless the Board or hearing officer orders otherwise. Order of the Board, page 2 (August 11, 2022).
2. On August 26, 2022, Respondent filed a Motion for Extension to File Record.
3. On August 29, 2022, the Board hearing officer entered an order extending the date for Illinois EPA to file the record to October 17, 2022.
4. The AGO is currently reviewing the relevant documents for purposes of filing the record.
5. Due to unforeseen circumstances, it is taking additional time to review and prepare the record for filing with the Board.

6. The parties have spoken and are continuing negotiations to resolve their disputed issues.

7. Respondent conferred with Petitioner, and Petitioner is amenable to the extension of time to file the record by December 16, 2022.

8. Based on the foregoing, Respondent requests an extension of time until December 16, 2022 to file the entire record with the Board.

WHEREFORE, for the reasons stated herein, Respondent respectfully requests that the Board hearing officer enter an order granting the Respondent's motion to extend the deadline for Respondent to file the record until December 16, 2022.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION
AGENCY

By: /s/ Molly Kordas
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Dated: September 23, 2022