

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

BUNGE MILLING, INC.,)	
)	
Petitioner,)	
)	
v.)	
)	PCB No. 2023-92
ILLINOIS ENVIRONMENTAL PROTECTION)	(Permit Appeal – Air)
AGENCY)	
)	
Respondent.)	

NOTICE OF FILING

To: See Attached Service List (Via Electronic Filing)

PLEASE TAKE NOTICE that the undersigned filed today with the Office of the Clerk of the Illinois Pollution Control Board by electronic filing the following MOTION FOR EXTENSION OF TIME TO RESPOND TO REQUEST FOR STAY, copy of which is attached hereto and hereby served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION
AGENCY

By: /s/Christina L. Nannini
 Christina L Nannini, #6327367
 Assistant Attorney General
 Environmental Bureau
 500 South Second Street
 Springfield, Illinois 62706
 (217) 782-9031
 christina.nannini@ilag.gov

Dated: February 27, 2023

SERVICE LIST

Thor W. Ketzback
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Bryan Cave Leighton Paisner
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Carol Webb
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Petitioner,)	
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)	PCB No. 2023-92
ILLINOIS ENVIRONMENTAL PROTECTION)	(Permit Appeal – Air)
AGENCY)	
)	
Respondent.)	

**MOTION FOR AN EXTENSION OF TIME
TO RESPOND TO PETITIONER’S REQUEST FOR STAY**

NOW COMES Respondent, the Illinois Environmental Protection Agency, by and through its attorney, KWAME RAOUL, Attorney General of the State of Illinois, and hereby moves for an extension of time to respond to Petitioner’s request for stay of contested conditions. In support thereof, Respondent states as follows:

1. On February 13, 2022, Bunge Milling, Inc. (“Petitioner”) filed a Petition for Review of a Permit Decision by the Illinois Environmental Protection Agency (“Illinois EPA”), challenging conditions contained in Federally Enforceable State Operating Permit 96020027 issued by Illinois EPA to Bunge Milling, Inc. on January 4, 2023.

2. Pursuant to Section 101.500(d) of the Board’s regulations, 35 Ill. Adm. Code 101.500(d), Illinois EPA must respond to Petitioner’s request for stay of contested conditions by February 27, 2023.

3. Respondent has been working diligently to review the Petition, but other matters have required the attention of assigned staff and additional time is needed in order to adequately respond to Petitioner’s request for stay of contested conditions.

4. Respondent respectfully requests an additional time of fourteen (14) days in order to adequately respond to Petitioner's request for stay of contested conditions.

5. Counsel for Petitioner does not object to Respondent's request.

6. Respondent's request for additional time is for good cause and will not prejudice Petitioner or unduly delay this matter.

WHEREFORE, for the reasons set forth above, Respondent Illinois EPA requests an extension of time until and including March 13, 2023 to respond to Petitioner's request for stay of contested conditions.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION
AGENCY

By: /s/Christina L. Nannini
Christina L Nannini, #6327367
Assistant Attorney General
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500 South Second Street
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christina.nannini@ilag.gov

Dated: February 27, 2023

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on February 27, 2023, she caused to be served by electronic mail, a true and correct copy of the following instruments entitled Notice of Filing and Motion for Extension of Time to Respond to Request for Stay to:

Thor W. Ketzback
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Hearing Officer
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/s/Lilia M. Brown
Lilia M. Brown
Environmental Bureau

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 Certificate of Service are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that she verily believes the same to be true.

/s/Lilia M. Brown
Lilia M. Brown
Environmental Bureau