

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

PEOPLE OF THE STATE OF ILLINOIS, )  
*ex rel.* Eric Rinehart, State's Attorney )  
for Lake County, Illinois, )  
) )  
Complainant, )  
) )  
v. )  
) )  
ILLINOIS DEPARTMENT OF )  
TRANSPORTATION, )  
) )  
Respondent. )

PCB No. 2023-108  
(Enforcement Noise)

**NOTICE OF FILING**

To: Lisle A. Stalter  
Assistant State's Attorney  
Lake County State's Attorney's Office  
18 N. County Street  
Waukegan, IL 60085  
847-377-3050  
lstalter@lakecountyil.gov

Please take notice that on the 25<sup>th</sup> day of April, 2023, Respondent, Illinois Department of Transportation's JOINT ENTRY OF APPEARANCE and MOTION FOR EXTENSION OF TIME were filed with the Clerk of the Pollution control Board, James R. Thompson Center, 100 W. Randolph Street, Suite 11-500, Chicago, IL 60601 via electronic filing.

Respectfully submitted,

ILLINOIS DEPARTMENT OF TRANSPORTION,  
Respondent,

By: /s/Matthew Dougherty  
Matthew D. Dougherty  
Special Assistant Attorney General  
Assistant Chief Counsel  
Illinois Department of Transportation  
2300 S. Dirksen Parkway, Room 313  
Springfield, Illinois 62764  
Phone: 217-785-7524  
E-mail: Matthew.Dougherty@illinois.gov

By: /s/Erin Walsh  
Erin Walsh  
Special Assistant Attorney General

Assistant Chief Counsel  
Illinois Department of Transportation  
69 West Washington Street, Suite 2100  
Chicago, Illinois 60602  
Phone: 312-793-2965  
Erin.walsh2@illinois.gov

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

**CERTIFICATE OF SERVICE**

Lisle A. Stalter  
Assistant State's Attorney  
Lake County State's Attorney's Office  
18 N. County Street  
Waukegan, IL 60085  
847-377-3050  
lstalter@lakecountyl.gov

The undersigned, being first duly sworn upon oath, deposes and states that a copy of Respondent's NOTICE OF FILING, JOINT ENTRY OF APPEARANCE and MOTION FOR EXTENSION OF TIME were served upon the above named at the above address by depositing the same in the United States mail located at 2300 South Dirksen Parkway, Springfield, Illinois on the 25th day of April, 2023, signature requested, with proper postage prepaid.

Respectfully submitted,

ILLINOIS DEPARTMENT OF TRANSPORTATION,  
Respondent,

By: /s/Matthew Dougherty  
Matthew D. Dougherty  
Special Assistant Attorney General  
Assistant Chief Counsel  
Illinois Department of Transportation  
2300 S. Dirksen Parkway, Room 313  
Springfield, Illinois 62764  
Phone: 217-785-7524  
E-mail: Matthew.Dougherty@illinois.gov

Date: April 25, 2023

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

PEOPLE OF THE STATE OF ILLINOIS, )  
*ex rel.* Eric Rinehart, State's Attorney )  
for Lake County, Illinois, )  
) )  
Complainant, )  
) )  
v. )  
) )  
ILLINOIS DEPARTMENT OF )  
TRANSPORTATION, )  
) )  
Respondent. )

PCB No. 2023-108  
(Enforcement Noise)

**JOINT ENTRY OF APPEARANCE**

The undersigned individuals, as attorneys of record, hereby jointly enter their appearance on behalf of the Respondent, ILLINOIS DEPARTMENT OF TRANSPORTATION.

Respectfully submitted,

ILLINOIS DEPARTMENT OF TRANSPORTATION,  
Respondent,

By: /s/Matthew Dougherty  
Matthew D. Dougherty  
Special Assistant Attorney General  
Assistant Chief Counsel  
Illinois Department of Transportation  
2300 S. Dirksen Parkway, Room 313  
Springfield, Illinois 62764  
Phone: 217-785-7524  
E-mail: Matthew.Dougherty@illinois.gov

By: /s/Erin Walsh  
Erin Walsh  
Special Assistant Attorney General  
Assistant Chief Counsel  
Illinois Department of Transportation  
69 West Washington Street, Suite 2100  
Chicago, Illinois 60602  
Phone: 312-793-2965  
Erin.walsh2@illinois.gov

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

PEOPLE OF THE STATE OF ILLINOIS,	)	
<i>ex rel.</i> Eric Rinehart, State's Attorney	)	
for Lake County, Illinois,	)	
	)	
Complainant,	)	
	)	
v.	)	PCB No. 2023-108
	)	(Enforcement Noise)
	)	
ILLINOIS DEPARTMENT OF	)	
TRANSPORTATION,	)	
	)	
Respondent.	)	

**ILLINOIS DEPARTMENT OF TRANSPORTATION'S**  
**MOTION FOR EXTENSION OF TIME**

Respondent, Illinois Department of Transportation, "IDOT" or the "Respondent," by and through its attorneys, moves the Pollution Control Board for an extension of time to research and potentially file a Motion pursuant to 35 Ill. Admin. Code 103.212(b). In support of its Motion, Respondent IDOT states as follows:

1. That the underlying Complaint was received by IDOT on April 4, 2023.
2. That this is the first Pollution Control Board Noise Enforcement case that Counsel have been assigned.
3. That IDOT is required to submit any Motion pursuant to 35 Ill. Admin. Code 103.212(b) on or before May 5, 2023, 30 days from the first calendar day following the day IDOT received the Complaint.
4. Respondent is currently researching whether it is able to file a motion to dismiss the Complaint pursuant to 35 Ill. Admin. Code 103.212(b), which would require dismissal of this matter.
5. That Counsel is confident that Respondent will be able to file any Motion pursuant to 35 Ill. Admin. Code 103.212(b) on or before Monday, June 5, 2023, or 60 days from the first

calendar day following the day IDOT received of the Complaint. Respondent's answer is due June 5, 2023, should Respondent not file a motion to dismiss.

6. That the Complainant will not be prejudiced if this Motion for Extension of Time is granted.

7. That this Motion is not intended to unnecessarily delay this matter.

WHEREFORE, Respondent respectfully moves this HONORABLE BOARD to grant its Motion for Extension of Time, and allow it an additional 30 days, or until June 5, 2023, to file any Motion pursuant to 35 Ill. Admin. Code 103.212(b).

Respectfully submitted,

ILLINOIS DEPARTMENT OF TRANSPORTION,  
Respondent,

By: /s/Matthew Dougherty  
Matthew D. Dougherty  
Special Assistant Attorney General  
Assistant Chief Counsel  
Illinois Department of Transportation  
2300 S. Dirksen Parkway, Room 313  
Springfield, Illinois 62764  
Phone: 217-785-7524  
E-mail: Matthew.Dougherty@illinois.gov

By: /s/Erin Walsh  
Erin Walsh  
Special Assistant Attorney General  
Assistant Chief Counsel  
Illinois Department of Transportation  
69 West Washington Street, Suite 2100  
Chicago, Illinois 60602  
Phone: 312-793-2965  
Erin.walsh2@illinois.gov