

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
) AS 24-5
PETITION OF RAIN CII CARBON LLC) (Adjusted Standard – Air)
FOR ADJUSTED STANDARD FROM)
35 Ill. Adm. Code §§ 201.149, 212.123,)
and 212.322, 215.301)

NOTICE OF FILING

To: Don Brown, Clerk
Carol Webb, Hearing Officer
Illinois Pollution Control Board
100 West Randolph St.
Suite 11-500
Chicago, Illinois 60601

Dana Vetterhoffer, Deputy General Counsel
Gina Roccaforte, Assistant Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19267
Springfield, Illinois 62795-9276

PLEASE TAKE NOTICE that on this day, the 26th day of December, 2023, I caused to be filed with the Clerk of the Illinois Pollution Control Board the **RAIN CII CARBON LLC'S STATUS REPORT**, a copy of which is herewith served upon you.

/s/ Alexander Garel-Frantzen

David M. Loring
Alexander J. Garel-Frantzen
ARENTFOX SCHIFF LLP
233 South Wacker Drive, Suite 7100
Chicago, Illinois 60606
(312) 258-5521
David.Loring@afslaw.com
Alex.Garel-Frantzen@afslaw.com

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)	
)	AS 24-5
PETITION OF RAIN CII CARBON LLC)	(Adjusted Standard – Air)
FOR ADJUSTED STANDARD FROM)	
35 Ill. Adm. Code §§ 201.149, 212.123,)	
and 212.322, 215.301)	

RAIN CII CARBON LLC’S STATUS REPORT

Pursuant to the Order of the Board dated October 5, 2023, in the above-captioned matter, and 35 Ill. Adm. Code 101.514, Rain CII Carbon LLC (“Rain Carbon”), by and through its attorneys, ArentFox Schiff LLP, submits the following status report.

1. On December 13, 2023, the Illinois Environmental Protection Agency (“IEPA”) filed its Status Report and Motion to Extend Stay of Proceeding (“Status Report and Motion”).

2. Rain Carbon concurs with IEPA’s recitation of the status of this matter under the heading “Status Report” in the Status Report and Motion. In addition, Rain Carbon does not object to IEPA’s request for the Board to stay the proceedings for an additional 120 days up to and including April 25, 2024 (or a later date if deemed appropriate by the Hearing Officer).

3. In filing this status report, Rain Carbon is not responding at this time to IEPA’s statements as to the legal effect of the stay under Section 28.1(f) of the Act. (*See* Status Report and Motion at p. 4).

Respectfully submitted,

Rain CII Carbon LLC, Petitioner

By: /s/ David M. Loring
David M. Loring

Dated: December 26, 2023

David M. Loring
Alexander J. Garel-Frantzen
ArentFox Schiff LLP, Attorneys for Petitioner
233 S. Wacker Drive Suite 7100

Chicago, Illinois 60606

(312) 258-5521

David.Loring@afslaw.com

Alex.Garel-Frantzen@afslaw.com

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
) AS 24-5
PETITION OF RAIN CII CARBON LLC) (Adjusted Standard – Air)
FOR ADJUSTED STANDARD FROM)
35 Ill. Adm. Code §§ 201.149, 212.123,)
and 212.322, 215.301)

CERTIFICATE OF SERVICE

I, the undersigned, certify that on this 26th day of December, 2023, I have electronically served a true and correct copy of **Rain CII Carbon LLC's Status Report**, by electronically filing with the Clerk of the Illinois Pollution Control Board and by e-mail upon the persons identified on the Notice of Filing.

My e-mail address is Alex.Garel-Frantzen@afslaw.com.

The number of pages in the e-mail transmission is 4.

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

 /s/ Alexander J. Garel-Frantzen

Alexander J. Garel-Frantzen

Dated: December 26, 2023

David M. Loring
Alexander J. Garel-Frantzen
ArentFox Schiff LLP, Attorneys for Rain CII Carbon LLC
233 S. Wacker Drive Suite 7100
Chicago, Illinois 60606
(312) 258-5521
David.Loring@afslaw.com
Alex.Garel-Frantzen@afslaw.com