

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

<b>In the Matter of:</b>	)	
	)	
<b>WASTE MANAGEMENT OF</b>	)	
<b>ILLINOIS, INC.</b>	)	
	)	
<b>Petitioner,</b>	)	
	)	<b>PCB 25-9</b>
	)	<b>(Permit Appeal - RCRA)</b>
	)	
<b>v.</b>	)	
	)	
<b>ILLINOIS ENVIRONMENTAL</b>	)	
<b>PROTECTION AGENCY</b>	)	
	)	
<b>Respondent.</b>	)	

**NOTICE OF FILING**

To: See attached Service List

PLEASE TAKE NOTICE that I have today electronically filed with the Office of the Clerk of the Pollution Control Board Waste Management of Illinois, Inc.'s Open Waiver of 120 Day Decision Deadline copies of which are herewith served upon you.

Dated: January 9, 2025

Waste Management of Illinois, Inc.

/s/ Jennifer T. Nijman

One of its Attorneys

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**CERTIFICATE OF SERVICE**

The undersigned, an attorney, certifies that a true copy of the foregoing Waste Management of Illinois, Inc.'s Open Waiver of 120 Day Decision Deadline for Nijman Franzetti LLP on behalf of Petitioner were electronically filed on January 9, 2025 with the following:

Don Brown, Clerk of the Board  
Illinois Pollution Control Board  
60 E. Van Buren Street, Suite 630  
Chicago, IL 60605  
[don.brown@illinois.gov](mailto:don.brown@illinois.gov)

and copies were sent via e-mail on January 9, 2025 to the parties on the service list.

Dated: January 9, 2025

Waste Management of Illinois, Inc.

/s/ Jennifer T. Nijman  
One of its Attorneys

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Petitioner,	)	PCB 25-9
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v.	)	
	)	
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY	)	
	)	
Respondent.	)	

**OPEN WAIVER OF 120-DAY DECISION DEADLINE**

Petitioner, Waste Management of Illinois, Inc., (“WMIL” or “Petitioner”), pursuant to 35 Ill. Admin. Code §101.308(c)(1), agrees to an open waiver of the statutory 120-day decision deadline for final action by the Illinois Pollution Control Board in the above-referenced proceeding. In support, Petitioner states as follows:

1. On December 4, 2024, WMIL filed its Petitions to Appeal Illinois EPA’s July 29, 2024 permit with conditions and JEPA’s extensional decision (collectively “Final Determinations”) to dispute Illinois EPA’s extension of the post-closure care period and financial assurance for closed Hazardous Waste Management Units (“Areas 1 and 2”) at the Laraway Recycling and Disposal Facility (the “Petitions”).<sup>1</sup> The Petitions included a Request for Stay and Motion to Consolidate PCB 25-9 and PCB 25-10.

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<sup>1</sup> PCB 25-9 is the appeal of the July 29, 2024 permit with conditions and PCB 25-10 is the appeal of the July 30, 2024 final decision.

2. On December 19, 2024, the Illinois Pollution Control Board (the “Board”) accepted the Petitions for hearing and reserved ruling on the Request for Stay and the Motion to Consolidate.

3. On December 31, 2024, Illinois EPA filed a Motion for Extension of Time to File Agency Record.

4. On January 2, 2025, a status conference was held for this matter. During the status, the Hearing Officer and parties agreed that a waiver of the decision deadline was necessary to allow time for Illinois EPA to prepare the record and to further allow time for discovery.

5. On January 6, 2025, the Hearing Officer issued an order granting Illinois EPA’s Motion for Extension of Time to File the Record for Appeal to March 4, 2025. The Hearing Officer Order also noted that Petitioner agreed to file a waiver of the decision deadline.

6. To allow time for Illinois EPA to prepare and file the Record, and subsequently for the parties to conduct discovery, Petitioner hereby voluntarily agrees to an open waiver of the statutory 120-day decision deadline.

WHEREFORE, Waste Management of Illinois, Inc. requests that the Illinois Pollution Control Board accept this open waiver of the statutory 120-day decision deadline on Petitioner’s Appeal of Illinois EPA’s Final Determinations.

Dated: January 9, 2025

Respectfully Submitted,

Waste Management of Illinois, Inc.

By: /s/ Jennifer T. Nijman  
One of its Attorneys

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