

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

In the Matter of:)	
)	
WASTE MANAGEMENT OF)	
ILLINOIS, INC.)	
)	
Petitioner,)	
)	PCB 25-10
)	(Permit Appeal - RCRA)
)	
v.)	
)	
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY)	
)	
Respondent.)	

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

Jennifer T. Nijman

Kristen L. Gale

Andrew Nishioka

NIJMAN FRANZETTI LLP

10 South LaSalle Street, Suite 3400

Chicago, IL 60603

jn@nijmanfranzetti.com

kg@nijmanfranzetti.com

dn@nijmanfranzetti.com

SERVICE LIST

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

Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
60 E. Van Buren Street, Suite 630
Chicago, IL 60605
Brad.Halloran@illinois.gov

Nancy J. Tikalsky
Assistant Attorney General
69 West Washington Street, Suite 1800
Chicago IL 60602
Nancy.Tikalsky@ilag.gov

Justin Bertsche
Assistant Attorney General
69 West Washington Street, Suite 1800
Chicago IL 60602
Justin.Bertsche@ilag.gov

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

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

Jennifer T. Nijman
Kristen L. Gale
Andrew Nishioka
NIJMAN FRANZETTI LLP
10 South LaSalle Street, Suite 3400
Chicago, IL 60603
jn@nijmanfranzetti.com
kg@nijmanfranzetti.com
dn@nijmanfranzetti.com

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

In the Matter of:)	
)	
WASTE MANAGEMENT OF)	
ILLINOIS, INC.)	
)	
Petitioner,)	PCB 25-10
)	(Permit Appeal - RCRA)
)	
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 July 30, 2024 final 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”).¹ The Petitions included a Request for Stay and Motion to Consolidate PCB 25-9 and PCB 25-10.

¹ 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

Jennifer T. Nijman
Kristen L. Gale
Andrew Nishioka
Nijman Franzetti LLP
10 S. LaSalle St, Suite 3400
Chicago, Illinois 60603

(312) 262-5524

jn@nijmanfranzetti.com

kg@nijmanfranzetti.com

dn@nijmanfranzetti.com