

ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
)
PROPOSED AMENDMENTS TO) R2022-018(A)
GROUNDWATER QUALITY) (Rulemaking – Public Water Supplies)
(35 ILL. ADM. CODE 620) FOR LANDFILLS)
UNDER 35 ILL. ADM. CODE 811, 814)

NOTICE OF FILING

To: ALL PARTIES ON THE SERVICE LIST

PLEASE TAKE NOTICE that I have today electronically filed with the Office of the Clerk of the Illinois Pollution Control Board a **MOTION FOR EXTENSION OF TIME AND CONTINUANCE OF HEARING**, copies of which are hereby served upon you.

Dated: June 11, 2025

By: s/Scott B. Sievers
Scott B. Sievers

BROWN, HAY & STEPHENS, LLP

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PROPOSED AMENDMENTS TO) R2022-018(A)
GROUNDWATER QUALITY) (Rulemaking – Public Water Supplies)
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MOTION FOR EXTENSION OF TIME AND CONTINUANCE OF HEARING

NOW COMES the NATIONAL WASTE AND RECYCLING ASSOCIATION (“NWRA”), by and through its attorneys, Brown, Hay + Stephens, LLP, and hereby moves to extend the deadline for submittal of proposals and pre-filed testimony as well as to continue the hearing set in this matter. In support, NWRA states the following:

1. In an Opinion and Order entered May 15, 2025, the Board directed participants to provide information regarding landfills regulated under Parts 811 and 814 that would be affected by the addition of Part 620 PFAS groundwater quality standards. (Opinion and Order of May 15, 2025). The Board directed participants to address eight (8) information requests while also providing that any proposals and pre-filed testimony are due on July 14, 2025. *Id.* Finally, the Board directed hearing officers to hold a hearing in Springfield, Illinois, on August 12, 2025. *Id.*

2. On May 21, 2025, the Hearing Officer issued an Order providing that all pre-filed testimony is due July 11, 2025. (Hearing Officer Order of May 21, 2025).

3. The Board’s procedural rules grant the Hearing Officer “authority to rule on all motions that are not dispositive of the proceeding.” 35 Ill. Adm. Code 101.502(a). Specifically, the Board’s rules grant the Hearing Officer the authority to set hearings. 35 Ill. Adm. Code 101.610. The Hearing Officer may also require the prefiling of testimony, questions, and responses if she determines the procedure will “provide for a more efficient hearing.” 35 Ill. Adm. Code 102.424(b).

4. While it has begun gathering the information and preparing its responses to the eight (8) information requests set forth in the Board's May 15, 2025, Opinion and Order, NWRA has determined that completing the task will require substantial additional time and effort. In addition, NWRA and Illinois Environmental Protection Agency ("Illinois EPA") staff have agreed to meet on July 8, 2025, in person in Springfield to discuss this rulemaking. NWRA anticipates that this meeting likely will impact the information and responses NWRA tenders in response to the Board's information requests. Accordingly, to provide additional time to incorporate the information obtained from its July 8, 2025, meeting with Illinois EPA staff as well as to complete gathering information and preparing its responses to the Board's information requests in sufficient time in advance of hearing, NWRA seeks a 30-day extension of the deadline for submitting proposals and pre-filed testimony as well as a 30-day continuance of the hearing date in this matter.

5. Allowing additional time to prepare and submit proposals and pre-filed testimony will allow for a more efficient and productive hearing.

6. On June 10 and 11, 2025, the undersigned counsel for NWRA conferred with counsel for Illinois EPA regarding NWRA's Motion for Extension of Time And Continuance of Hearing. On June 11, 2025, counsel for Illinois EPA stated that the Agency had no objection to NWRA's motion seeking a 30-day extension of the deadline for submitting proposals and pre-filed testimony as well as to a 30-day continuance of the hearing.

7. On June 11, 2025, the undersigned counsel for NWRA contacted the Hearing Officers in this proceeding and advised them of NWRA's intention to file this motion for the reasons set forth above, and further advised them that Illinois EPA had no objection to the motion.

WHEREFORE, so that it may fully gather information and prepare complete responses to the Board's information requests sufficiently in advance of hearing, NWRA moves this honorable Board to extend by thirty (30) days the deadline for submitting proposals and pre-filed testimony as well as to continue for thirty (30) days the hearing date presently set in this matter.

By: s/Scott B. Sievers
Scott B. Sievers

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***In the Matter of Proposed Amendments to
Groundwater Quality (35 Ill. Adm. Code 620)
for Landfills under 35 Ill. Adm. Code 811, 814
Pollution Control Board No. R2022-018(A)***

CERTIFICATE OF SERVICE

Scott B. Sievers of the law firm of Brown, Hay + Stephens, LLP herein certifies that on May 22, 2025, from Springfield, Illinois, he electronically submitted for filing the foregoing **Motion for Extension of Time and Continuance of Hearing** with the Pollution Control Board by using the Clerk's Office On-Line (COOL) eFile system. Scott B. Sievers further certifies that, on June 11, 2025, he served the other parties in this case with a copy of the foregoing document by transmitting the documents by e-mail to those on the attached service list.

VERIFICATION BY CERTIFICATION

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 instrument are true and correct, except as to matters herein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.

By: s/Scott B. Sievers
Scott B. Sievers

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