

ILLINOIS POLLUTION CONTROL BOARD

August 24, 2026

BFI WASTE SYSTEMS OF NORTH	)	
AMERICA, LLC,	)	
	)	
Petitioner,	)	
	)	PCB 26-30
v.	)	(Permit Appeal—Land)
	)	
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

HEARING OFFICER ORDER

On June 4, 2026, petitioner filed a motion to supplement the record. (Mot.). Because of the somewhat confusing nature of the motion(s), I requested petitioner to file a summary of the outstanding motions and responses. On July 23, 2026, the petitioner filed a report on status of parties' motions to supplement the record. (Report). Petitioner states that in his June 4, 2026, motion, petitioner requested that the record be supplemented to "include two documents referenced in the file record-a U.S.EPA guidance document and an Association of State and Territorial Solid Waste Management Officials (ASTSWMO) position paper- along with various attachments referenced in the record but thought to be missing from the record. Report at 1.

Petitioner states that the respondent filed its response (Resp.) to petitioner's motion and agreed "to supplement the record to include the U.S. EPA guidance document and the ASTSWMO position paper but declined to supplement the record to add the attachments because respondent identified them in the existing record." *Id.*

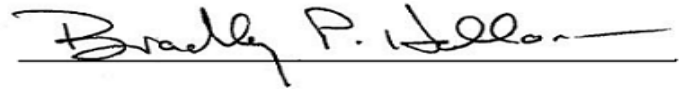
Petitioner now states that the request to add the referenced attachments to the record is now moot. Report at 2. I agree. In the Report, petitioner states that "Respondent also sought to file an amended Index of Record (Report at 1-2.), whereas in the response filed by respondent states that "Petitioner agrees to submit an amended Index of the Record reflecting such." Resp. at 2. The parties are directed to file a clarification of this seemingly conflicting fact by September 8, 2026.

Finally, respondent's motion to supplement the record with the Delegation Agreement with the USEPA, filed July 1, 2026, is granted. (Resp. Mot. Supp.). Respondent states that petitioner does not object. *Id.* at 2. *See also* BFI Waste Systems of North America v. Illinois EPA, PCB 24-29, at 2 (August 20, 2026) (where the Board found that the record be supplement with the identical document when it found that the Agency relied on the Delegation Agreement and that the document is publicly available.)

The parties or their legal representatives are directed to participate in a telephonic status conference with the hearing officer on September 10, 2026, at 11:00 a.m. The telephonic status conference must be initiated by the petitioner, and provide a call-in number, but each party is

nonetheless responsible for its own appearance. At the status conference, the parties must be prepared to discuss the status of the above-captioned matter and their readiness for hearing.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "Bradley P. Halloran", is positioned above a solid horizontal line.

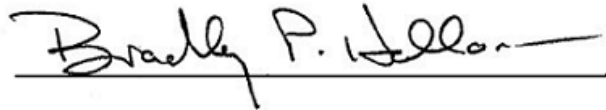
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CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were e-mailed, on August 24, 2026 to each of the persons on the service list below.

It is hereby certified that a true copy of the foregoing order was e-mailed to the following on August 24, 2026:

Don Brown
Illinois Pollution Control Board
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Suite 630
Chicago, Illinois 60605



Bradley P. Halloran
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@ Consents to electronic service

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