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MAY 27 2004

STATE OF ILLINOIS
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

In the Matter of:)
)
W. R. MEADOWS, INC.,)
)
Petitioner,)
) PCB No. 97-195
v.)
)
THE ILLINOIS ENVIRONMENTAL) (Permit Appeal - Air)
PROTECTION AGENCY,)
)
Respondent.)

PETITIONER'S STATUS REPORT

NOW COMES the Petitioner, W.R. Meadows, Inc., by and through its legal counsel, Howard & Howard Attorneys, P.C., and provides a Status Report on this proceeding in accordance with the Order recently entered by Hearing Officer Carol Sudman in this case:

1. Petitioner and Respondent have undertaken discussions to explore the possibility of settlement and have been successful in defining the scope of actions needed to resolve the pending permitting and compliance issues. Pursuant to the tentative settlement agreement, all matters in controversy in this proceeding will be resolved.

2. In an effort to finalize the tentative settlement, legal and technical representative for both parties recently participated in a meeting at the Illinois Environmental Protection Agency offices to discuss the technical and scheduling issues associated with the tentative settlement agreement. Significant progress was made to identify all technical issues and the

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timing of actions to be taken by Petitioner to implement the key aspects of the tentative settlement.

3. Counsel for Petitioner continues to believe and represents that this matter could be resolved by negotiation, thereby avoiding the unnecessary expenditure of time and resources of Hearing Officer Sudman, the Illinois Pollution Control Board and the parties that would be necessitated by proceeding to hearing and final resolution.

4. Counsel for Petitioner requests that a hearing in this proceeding be held in abeyance to allow the parties additional time to finalize the terms of the tentative settlement.

5. Counsel for the Petitioner shall file additional Status Reports as directed by Hearing Officer Sudman.

HOWARD & HOWARD ATTORNEYS, P.C.

By:



Jon S. Faletto, Attorney for Petitioner
W. R. Meadows, Inc.

Dated: May 25, 2004

Jon S. Faletto
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PCB No. 97-195

(Permit Appeal - Air)

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on this 25th day of May, 2004, I have served the attached Status Report by depositing same via First Class, U.S. Mail, with proper postage prepaid, upon the following persons:

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph, Suite 11-500
Chicago, IL 60601

Ms. Carol Sudman
Hearing Officer
600 South Second Street, Suite 402
Springfield, IL 62704

Robb Layman, Esq.
Division of Legal Counsel
Illinois Env. Protection Agency
1021 North Grand Avenue East
P. O. Box 19276
Springfield, IL 62794-9276

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