

BEFORE THE POLLUTION CONTROL BOARD
OF THE STATE OF ILLINOIS

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SEP 10 2008

STATE OF ILLINOIS
Pollution Control Board

IN THE MATTER OF:

WASTE MANAGEMENT OF ILLINOIS,
INC.,

Petitioner,

v.

No. PCB 08-101

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Respondent.

NOTICE OF FILING

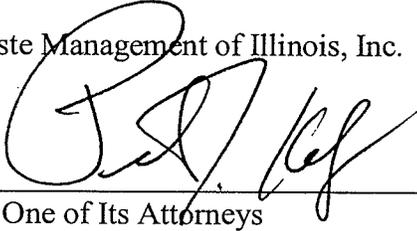
To: Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
100 West Randolph - Suite 11-500
Chicago, IL 60601

Douglas Scott, Director
Illinois Environmental Protection Agency
1021 N. Grand Ave. East
P.O. Box 19274
Springfield, IL 62794-9274

PLEASE TAKE NOTICE that on September 10, 2008, there was filed with the Illinois Pollution Control Board the attached Open Waiver of the Statutory Decision Deadline, a true and correct copy of which is herewith served upon you.

Respectfully submitted,

Waste Management of Illinois, Inc.

By: 

One of Its Attorneys

Peter J. Kelly
Vedder Price P.C.
222 North LaSalle Street
Suite 2600
Chicago, Illinois 60601
(312) 609-7500
Firm ID No. 44284
Dated: September 10, 2008

CERTIFICATE OF SERVICE

The undersigned certifies that true and correct copies of the foregoing Open Waiver of Statutory Decision Deadline were served on

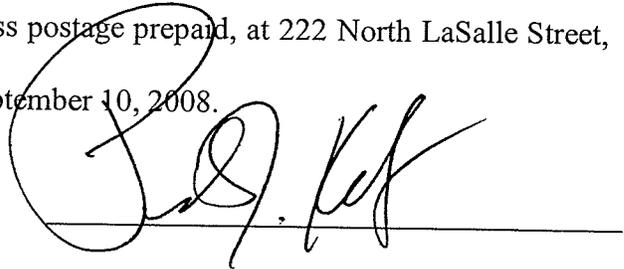
Dorothy M. Gunn, Clerk
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Douglas Scott, Director
Illinois Environmental Protection Agency
1021 N. Grand Ave. East
P.O. Box 19274
Springfield, IL 62794-9274

Jason R. Boltz, Esq.
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Springfield, IL 62794-9276

Carol Webb
Hearing Officer
Illinois Pollution Control Board
1021 N. Grand Avenue East
P.O. Box 19274
Springfield, IL 62794-9274

by depositing the same in the U.S. mail, first-class postage prepaid, at 222 North LaSalle Street, Chicago, Illinois 60601-1003 by 5:00 p.m. on September 10, 2008.

A handwritten signature in black ink, appearing to read "D. Scott", is written over a horizontal line. The signature is stylized and cursive.

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OPEN WAIVER OF STATUTORY DECISION DEADLINE

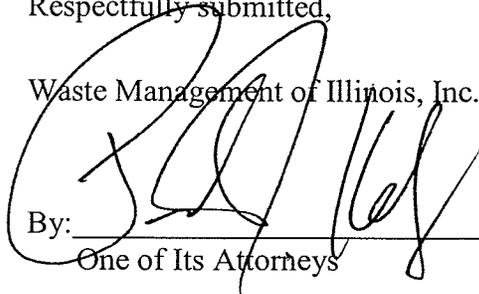
Waste Management of Illinois, Inc. ("WMIL") filed a petition for review of the NPDES permit No. IL0075523 issued by the Illinois Environmental Protection Agency (the "Agency") on May 22, 2008 (the "Permit"). This Permit is being appealed pursuant to §40.2 of the Illinois Environmental Protection Act ("Act"), 415 ILCS 5/40.2, and 35 Ill. Admin. Code §105.100 et seq.

WMIL is in continuing discussions with the Agency to resolve the issues raised by the Permit Appeal.

WHEREFORE, the Petitioner respectfully waives the Statutory Decision Deadline completely and unequivocally until Petitioner elects to reinstate the 120-day decision period and files an appropriate notice with the Board. (See Title 35 Section 101.308 c) 1.)

Respectfully submitted,

Waste Management of Illinois, Inc.


By: _____
One of Its Attorneys

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