

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

W.R. MEADOWS, INC.,

Petitioner,

vs.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Respondent.

Case No. PCB 06-140
(Permit Appeal - Air)

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Pollution Control Board

NOTICE OF FILING


PLEASE TAKE NOTICE that on this 1st day of June 2006, a copy of the attached *Time Certain Waiver of Statutory Decision Deadline* was filed with the Office of the Clerk of the Illinois Pollution Control Board, a copy of which is herewith served on you.

Dated: June 1, 2006

Respectfully Submitted,

On behalf of W.R. MEADOWS, INC., Petitioner

By: Hinshaw & Culbertson LLP



Jon S. Faletto
One of Its Attorneys

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TIME CERTAIN WAIVER OF STATUTORY DECISION DEADLINE

NOW COMES the Petitioner, W. R. MEADOWS, INC., pursuant to 35 Ill. Admin. Code §101.308(c)(2) and files its *Time Certain Waiver of Statutory Decision Deadline* to extend the current statutory deadline for a final Board decision in this permit appeal proceeding as specified in Section 40 of the Illinois Environmental Protection Act, 415 ILCS 5/40 (the "Act").

In support of its *Time Certain Waiver of Statutory Decision Deadline*, Petitioner states:

1. On March 2, 2006, at the request of Petitioner and Respondent, the Pollution Control Board extended the time period for W. R. Meadows, Inc. to appeal a January 30, 2006, determination of the Illinois Environmental Protection Agency ("IEPA" or "Agency"), which denied Petitioner's application for renewal of an Operating Permit for existing equipment and processes at its Kane County facility.

2. On May 3, 2006, Petitioner timely filed its Petition for Review in accordance with the Board's March 2nd Order. On May 4, 2006, the Board issued an Order accepting Meadows' Petition for Review for hearing and decision on the issues presented.

3. Petitioner and Respondent have undertaken discussions to explore the possibility of settlement. If this matter can be resolved by settlement, the expenditure of time and resources associated with proceeding to hearing and final Board decision will be avoided.


4. To allow sufficient time for the parties to finalize settlement discussions, Petitioner waives the current statutory decision deadline of August 31, 2006, and requests a 90-day extension to November 29, 2006, for the Board's decision in this proceeding.

Dated: June 1, 2006

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