BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

W.R. MEADOWS, INC.,)		
Petitioner,)		A E C E
VS.	j	Case No. PCB 06-140 (Permit Appeal - Air)	JUN OFFICE
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,)		Polition Control Nois
Respondent.)		Soard

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. Paletto

One of Its Attorneys

HINSHAW & CULBERTSON LLP 456 Fulton Street, Suite 298 Peoria, IL 61602-1220 309-674-1025

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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,	(Permit Appeal - Air)	Control Board
Respondent.)	

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

Respectfully Submitted,

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

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vs.) Case No. PCB 06-140
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,) Case No. PCB 06-140) (Permit Appeal - Air)
Respondent.)

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on this 1st day of June 2006, I have served the attached *Time Certain Waiver of Statutory Decision Deadline*, by depositing same via First Class U.S. Mail with proper postage prepaid, upon the following persons:

Robb Layman

P.O. Box 19276

Assistant Counsel - Bureau of Air

Illinois Pollution Control Board 1021 North Grand Avenue East

Division of Legal Counsel

Springfield, IL 62794-9276

Dorothy M. Gunn, Clerk

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

Honorable Bradley J. Halloran

Hearing Officer James R. Thompson Center Illinois Pollution Control Board 100 West Randolph Street, Suite 11-500 Chicago, IL 60601

Respectfully Submitted,

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

By: Hinshaw & Culbertson LLP

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Dated: June 1, 2006

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