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STATE OF ILLINOIS
Pollution Control Board

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NOTICE OF FILING

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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

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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AUG 30 2006

STATE OF ILLINOIS
Pollution Control Board

W.R. MEADOWS, INC.,

ORIGINAL

Petitioner,

vs.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Respondent.

)
)
) Case No. PCB 06-140
) (Permit Appeal - Air)
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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 November 29, 2006, and requests a 90-day extension to February 27, 2007, for the Board's decision in this proceeding.

Dated: August 30, 2006

Respectfully Submitted,

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

By: Hinshaw & Culbertson LLP



Jon S. Faletto
One of its Attorneys

HINSHAW & CULBERTSON LLP
456 Fulton Street, Suite 298
Peoria, IL 61602-1220
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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

W.R. MEADOWS, INC.,

Petitioner,

vs.

ILLINOIS ENVIRONMENTAL
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Pollution Control Board

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

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on this 30th day of August 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:

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

Robb Layman
Assistant Counsel - Bureau of Air
Division of Legal Counsel
Illinois Pollution Control Board
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

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

Dated: August 30, 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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STATE OF ILLINOIS
Pollution Control Board

August 30, 2006

Via Facsimile (312) 814-3669 and U.S. Mail

Ms. Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
100 West Randolph, Suite 11-500
Chicago, IL 60601-3218

Re: W.R. Meadows, Inc. v. IEPA
Case No. PCB 06-140 (Permit Appeal – Air)


Dear Ms. Gunn:

On behalf of the Petitioner, W.R. Meadows, Inc., we are enclosing for filing an original and ten (10) copies of our Notice of Filing, Time Certain Waiver of Statutory Decision Deadline and Certificate of Service. Please return one file-stamped copy of each document to us in the postage-paid, self-addressed envelope enclosed for your convenience.

Please do not hesitate to contact the undersigned for any questions or comments.

Very truly yours,

HINSHAW & CULBERTSON LLP


Jon S. Faletto
Direct 309-669-0138
jfaletto@hinshawlaw.com

JSF/jah

Enclosure

cc: David Carey, W.R. Meadows, Inc. (w/enclosure)

HINSHAW

A CULBERTSON LLP

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Pollution Control Board

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TO: Dorothy Gunn COMPANY: PCB Clerk FAX NO.: (312) 814-3669 PHONE NO.:

FROM: Jon S. Faletto USER ID: a6744

MATTER NAME: W.R. Meadows v. IEPA MATTER NO.: 865433

NO. OF PAGES (including this Cover): 6 SENDING OPERATOR: Julie

COMMENTS, IF ANY:

Please see attached.

Please also cc: Hon. Bradley Halloran.

HARD COPY:

☐ Will follow by mail ☐ Will follow by overnight mail ☐ Will not follow

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