

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD **RECEIVED**  
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SEP 05 2006

STATE OF ILLINOIS  
Pollution Control Board

W.R. MEADOWS, INC., )

Petitioner, )

vs. )

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY, )

Respondent. )

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

**NOTICE OF FILING**

PLEASE TAKE NOTICE that on this 30<sup>th</sup> day of August 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: August 30, 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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STATE OF ILLINOIS  
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Case No. PCB 08-140  
(Permit Appeal - Air)

**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 2<sup>nd</sup> 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

  
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**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that on this 30<sup>th</sup> 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

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