

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
OF THE STATE OF ILLINOIS**

DAVE McGHEE,)	
)	
Petitioner,)	
)	PCB No. 08-36
vs.)	(Permit Appeal)
)	
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

WAIVER OF DECISION DEADLINE

COMES NOW the Petitioner, Dave McGhee, by his attorneys, Harrington & Tock, and hereby waives the decision deadline of April 3, 2008 as set forth in the Order of the Illinois Pollution Control Board of December 20, 2007 and moves to vacate the January 30, 2008 hearing previously set in this matter.

Respectfully Submitted

DAVE McGHEE,
Petitioner,

By: /S/
Jeffrey W. Tock

Dated: January 28, 2008

Jeffrey W. Tock
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CERTIFICATE OF SERVICE

I, Jeffrey W. Tock, the undersigned certify that I have served the attached Waiver of Decision Deadline upon:

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

Melanie A. Jarvis
Assistant Counsel
Special Assistant Attorney General
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 N. Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

and I electronically filed said Waiver of Decision Deadline with:

John Therriault, Acting Clerk
Clerk of the Board
Illinois Pollution Control Board
100 W. Randolph Street
Suite 11-500
Chicago, IL 60601

on January 28, 2008.

By: /S/
Jeffrey W. Tock