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STATE OF ILLINOIS
Pollution Control Board

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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)

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

2. Petitioner and Respondent have undertaken discussions to explore the possibility of settlement of this matter and a related proceeding pending before the Board as Case No. 97-195. The parties have reached a preliminary settlement agreement that defines the scope of the actions needed to resolve the permitting and compliance issues involving Petitioner's Kane County facility. The preliminary settlement agreement has been reviewed and approved by Respondent's management. Counsel for the parties represent that this matter and related Case

No. 97-195 will be resolved by settlement, thereby avoiding the significant expenditure of time and resources associated with proceeding to hearing and final Board decision. Meetings and communications between the Parties have confirmed all but one final aspect of the parties' settlement agreement.

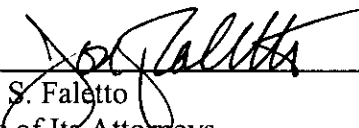
3. To allow sufficient time for the parties to finalize the settlement terms and conditions, Petitioner waives the current statutory decision deadline of May 29, 2008, and requests a 90-day extension to August 29, 2008, for the Board's decision in this proceeding.

Dated: January 28, 2008

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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Respondent.

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