

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

W.R. MEADOWS, INC.,)	
Petitioner,)	RECEIVED CLERK'S OFFICE
VS.	Case No. PCB 06-140 (Permit Appeal - Air)	
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,		MAY 2 9 2008 STATE OF ILLINOIS Pollution Control Board
Respondent.)	

NOTICE OF FILING

PLEASE TAKE NOTICE that on this 28th day of May 2008, 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: May 28, 2008 Respectfully Submitted,

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

By: Hinshaw & Culbertson LLP

Jon S. Faletto

One of its Attorney

HINSHAW & CULBERTSON LLP 416 Main St., 6th Floor Peoria, IL 61602-1220 309-674-1025

BEFORE THE ILLING	DIS POLLUTION CONTROL BOARD
W.R. MEADOWS, INC.,	
Petitioner,	RECEIVED
vs.	Case No. PCB 06-140 MAY 2 9 2000
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,	Case No. PCB 06-140 MAY 2 9 2008 (Permit Appeal - Air) STATE OF ILLINOIS Pollution 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:

- On May 3, 2006, Petitioner timely filed its Petition for Review to appeal a 1. 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.
- Petitioner and Respondent have undertaken discussions to explore the possibility 2. of settlement of this matter and a related proceeding pending before the Board as Case No. 97-195. The parties have reached a final settlement agreement that defines the scope of the actions needed to resolve the permitting and compliance issues involving Petitioner's Kane County facility. The terms and conditions of the final settlement have 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.

3. To allow sufficient time for the parties to memorialize the parties' settlement, Petitioner waives the current statutory decision deadline of August 29, 2008, and requests a 90-day extension to November 27, 2008, for the Board's decision in this proceeding.

Dated: May 28, 2008

Respectfully Submitted,

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W.R. MEADOWS, INC., Petitioner, Vs. ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, Respondent. Description Control Board Case No. PCB 06-140 (Permit Appeal - Air) Clerk's OFFICE MAY 2 9 2008 STATE OF ILLINOIS

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on this 28th day of May 2008, 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:

John Therriault, Asst. 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

Dated: May 28, 2008

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

Respectfully Submitted,

By: Hinshaw & Culbertson LLP

Jon S. Falletto

Attorneys for Petitioner

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