

COPY

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

JOHN C. BLICKHAN,)
)
Petitioner,)
)
vs.)
)
ILLINOIS ENVIRONMENTAL PROTECTION)
AGENCY,)
)
Respondent.)

Case No. PCB 08-59
(Permit Appeal - Land)

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JUL 23 2008
STATE OF ILLINOIS
Pollution Control Board

NOTICE

John Therriault
Assistant Clerk
Illinois Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, IL 60601-3218

James G. Richardson, Asst. Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

Thomas Davis, Asst. Attorney General
Chief, Environmental Bureau
Office of the Illinois Attorney General
500 South Second Street
Springfield, IL 62706


PLEASE TAKE NOTICE that I have today caused to be filed a *Time Certain Waiver of Statutory Decision Deadline* with the Illinois Pollution Control Board, copies of which are served upon you.

Dated: July 21, 2008

Respectfully Submitted,

On behalf of JOHN BLICKHAN

By: Hinshaw & Culbertson LLP



Jon S. Faletto
One of His Attorneys

HINSHAW & CULBERTSON LLP
416 Main Street – 6th Floor
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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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JOHN C. BLICKHAN,)
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 Petitioner,)
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 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
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TIME CERTAIN WAIVER OF STATUTORY DECISION DEADLINE

NOW COMES the Petitioner, JOHN C. BLICKHAN, pursuant to 35 Ill. Admin. Code §101.308(c)(2) and files his *Time Certain Waiver of Statutory Decision Deadline* to extend the current statutory deadline for a final Board decision in this 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 June 27, 2008, Petitioner timely filed its *Petition for Review* to appeal a February 22, 2008, determination of the Illinois Environmental Protection Agency ("IEPA" or "Agency"), which denied Petitioner's application for completion of the post-closure care period for the closed Blickhan Landfill. The statutory deadline for filing the Petition had been extended by the Board's Order entered March 28, 2008, pursuant to a stipulation and request of the Parties.

2. On July 10, 2008, the Board issued an Order accepting Petitioner's *Petition for Review* for hearing and decision on the issues presented.

3. Petitioner and Respondent have undertaken preliminary 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.

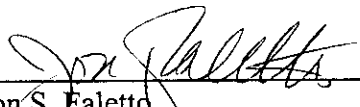
4. To allow sufficient time for the parties to pursue the technical discussions necessary to determine the possibility for informal resolution of this matter, Petitioner waives the current statutory decision deadline of October 27, 2008, and requests a 120-day extension to February 24, 2009, for the Board's decision in this proceeding.

Dated: July 21, 2008

Respectfully Submitted,

On behalf of JOHN C. BLICKHAN, Petitioner

By: Hinshaw & Culbertson LLP



Jon S. Faletto
One of Its Attorneys

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

CERTIFICATE OF SERVICE

I hereby certify that I did on July 21, 2008, send by First Class U.S. Mail, with postage thereon fully prepaid, by depositing in a United States Post Office Box a true and correct copy of the attached instrument entitled *Time Certain Waiver of Statutory Decision Deadline*, to:

Thomas Davis, Asst. Attorney General
Chief, Environmental Bureau
Office of the Illinois Attorney General
500 South Second Street
Springfield, IL 62706

James G. Richardson, Asst. Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

and the original and ten copies by First Class Mail with postage thereon fully prepaid of the same foregoing instrument(s) to:

John T. Therriault, Assistant Clerk
Illinois Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, IL 60601-3218

Dated: July 18, 2008

Respectfully Submitted,

On behalf of JOHN BLICKHAN

By: Hinshaw & Culbertson LLP



Jon S. Faletto
One of His Attorneys