

BAILEY & GLASSER<sup>LLP</sup>

Lawyers  
Internet [www.baileyglasser.com](http://www.baileyglasser.com)  
Phone (815) 740-4034 Fax (304) 342-1110

1003 Western Avenue  
Joliet, Illinois 60435

August 25, 2009

**RECEIVED**  
CLERK'S OFFICE

AUG 27 2009

STATE OF ILLINOIS  
Pollution Control Board

John Therriault, Clerk  
Illinois Pollution Control Board  
James R. Thompson Center  
100 West Randolph Street, Suite 11-500  
Chicago, Illinois 60601

Re: Prairie Rives Network and Sierra Club v.  
Illinois Environmental Protection Agency and  
Hillsboro Energy, LLC  
PCB 2010-003

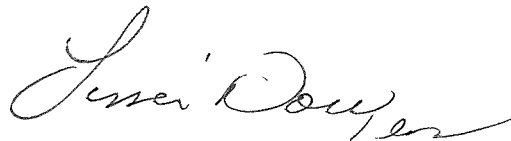
ORIGINAL

Dear Mr. Therriault:

Enclosed for filing in the above matter please find the originally executed Notice of Filing and Amended Time Certain Waiver of Statutory Decision on Deadlines.

Copies have been provided to counsel of record in accordance with the Certificate of Service.

Sincerely,



Lissa Dow

LD/les  
Enclosures

cc: Counsel of Record

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PRAIRIE RIVERS NETWORK )  
and SIERRA CLUB, )  
 )  
Petitioners, )  
 )  
 )  
 )  
v. )  
 )  
ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY and )  
HILLSBORO ENERGY LLC )  
 )  
Respondents. )

RECEIVED  
CLERK'S OFFICE  
AUG 27 2009  
STATE OF ILLINOIS  
Pollution Control Board

PCB 2010-003  
(Third Party NPDES Appeal)

ORIGINAL

NOTICE OF FILING

John Therriault, Clerk  
Illinois Pollution Control Board  
James R. Thompson Center  
100 West Randolph Street, Suite 11-500  
Chicago, Illinois 60601

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

Jessica Dexter, Esquire  
Albert Ettinger, Esquire  
Environmental Law and Policy Center  
35 E. Wacker Dr., Suite 1300  
Chicago, Illinois 60601

Division of Legal Counsel  
Illinois Environmental Protection Agency  
1021 North Grand Avenue, East  
P. O. Box 19276  
Springfield, Illinois 62794-9276

PLEASE TAKE NOTICE that on this 25th day of August, 2009, I filed with the Office of the Clerk of the Pollution Control Board the attached Amended Time Certain Waiver of Statutory Decision on Deadlines, a copy of which is herewith served upon you.

**HILLSBORO ENERGY LLC**

*Elizabeth Hoskins Dow*  
Elizabeth Hoskins Dow (ARDC No. 216262) *lis*  
Bailey & Glasser, LLP  
1003 Western Avenue  
Joliet, Illinois 60435  
(815) 740-4034

*Counsel for Hillsboro Energy LLC*

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PRAIRIE RIVERS NETWORK )  
and SIERRA CLUB, )  
 )  
 Petitioners, )  
 )  
 )  
 )  
 v. )  
 )  
 ILLINOIS ENVIRONMENTAL )  
 PROTECTION AGENCY and )  
 HILLSBORO ENERGY LLC )  
 )  
 Respondents. )

RECEIVED  
CLERK'S OFFICE

AUG 27 2009

STATE OF ILLINOIS  
Pollution Control Board

PCB 2010-003  
(Third Party NPDES Appeal)

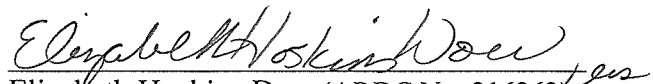
ORIGINAL

**AMENDED TIME CERTAIN WAIVER OF  
STATUTORY DECISION ON DEADLINES**

Respondent, Hillsboro Energy LLC, by counsel, pursuant to Section 101.308 of the General Rules of the Illinois Pollution Control Board and maintenance of the status quo, agrees to waive the applicable statutory time frame until February 28, 2010. Hillsboro Energy LLC understands that this waiver is revocable, and if its waiver is withdrawn, a 120-day deadline will then be initiated.

Respectfully submitted,

HILLSBORO ENERGY LLC  
By Counsel,



Elizabeth Hoskins Dow (ARDC No. 216262)  
Bailey & Glasser, LLP  
1003 Western Avenue  
Joliet, Illinois 60435  
(815) 740-4034

*Counsel for Hillsboro Energy LLC*

**CERTIFICATE OF SERVICE**

I, Elizabeth Hoskins Dow, hereby certify that I have served the attached *Notice of Filing* and *Amended Time Certain Waiver of Statutory Decision on Deadlines* upon the parties to whom said Notice is directed by U.S. Mail, postage prepaid, this 25<sup>th</sup> day of August, 2009:

John Therriault, Clerk  
Illinois Pollution Control Board  
James R. Thompson Center  
100 West Randolph Street, Suite 11-500  
Chicago, Illinois 60601


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

Albert Ettinger, Esquire  
Bradley Klein, Esquire  
Environmental Law and Policy Center  
35 E. Wacker Dr., Suite 1300  
Chicago, Illinois 60601

Division of Legal Counsel  
Illinois Environmental Protection Agency  
1021 North Grand Avenue, East  
P. O. Box 19276  
Springfield, Illinois 62794-9276

RECEIVED  
CLERK'S OFFICE  
AUG 27 2009  
STATE OF ILLINOIS  
Pollution Control Board

ORIGINAL

  
Elizabeth Hoskins Dow (ARDC No. 216262) / *ls*  
Bailey & Glasser, LLP  
1003 Western Avenue  
Joliet, Illinois 60435  
(815) 740-4034

*Counsel for Hillsboro Energy LLC*