

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  
OCT 19 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

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

**PLEASE TAKE NOTICE** that on this 15th day of October, 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) *lhw*  
Bailey & Glasser, LLP  
1003 Western Avenue  
Joliet, Illinois 60435  
(815) 740-4034  
**Counsel for Hillsboro Energy LLC**

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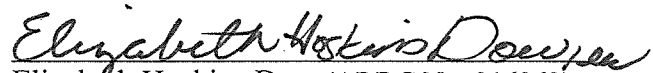
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**AMENDED TIME CERTAIN WAIVER OF  
STATUTORY DECISION ON DEADLINES**

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 May 31, 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 Hillsboro Energy LLC understands that this waiver is revocable, and if its waiver is withdrawn, a 120-day deadline will then be initiated.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*

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STATE OF ILLINOIS  
Pollution Control Board

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 15<sup>th</sup> day of October, 2009:

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

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1003 Western Avenue  
Joliet, Illinois 60435  
(815) 740-4034

*Counsel for Hillsboro Energy LLC*

BAILEY & GLASSER<sub>LLP</sub>

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

1003 Western Avenue  
Joliet, Illinois 60435

October 15, 2009

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

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CLERK'S OFFICE

OCT 19 2009

STATE OF ILLINOIS  
Pollution Control Board

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

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