BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PRAIRIE RIVERS NETWORK and SIERRA CLUB,	CLERK'S OFFICE
and Sillian Clou,	APR 2.1 2010
Petitioners,	STATE OF ILLINOIS Pollution Control Board
v.	PCB 2010-003 (Third Party NPDES Appeal)
ILLINOIS ENVIRONMENTAL	
PROTECTION AGENCY and	
HILLSBORO ENERGY LLC	ORIGINAL
Respondents.	""AL

NOTICE OF FILING

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

Jessica Dexter, Esquire Albert Ettinger, Esquire Environmental Law and Policy Center 35 E. Wacker Dr., Suite 1300 Chicago, Illinois 60601 Carol Webb, Hearing Officer Illinois Pollution Control Board 1021 North Grand Avenue East P. O. Box 19274 Springfield, Illinois 62794-9274

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

PLEASE TAKE NOTICE that on this 19th day of April, 2010, 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 (ARDC No. 216262)

Elizabeth Hoskin Dow

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,	CLERK'S OFFICE
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Petitioners,	APR 2.1.2010
	STATE OF
V.) PCB 2010-003 STATE OF ILLINOIS (Third Party NPDES Appeal)
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ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY and)
HILLSBORO ENERGY LLC)
	ORIGINAL
Respondents.) INDIVAL

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 October 7, 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 Hillsboro Energy LLC understands that this waiver is revocable, and if its waiver is withdrawn, a 120-day deadline will then be initiated.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 *Time Certain Waiver of Statutory Decision on Deadlines* upon the parties to whom said Notice is directed by U.S. Mail, postage prepaid, this 19th day of April, 2010:

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 Office of the Attorney General Environmental Bureau 500 South Second Street Springfield, Illinois 62706 RECEIVED CLERK'S OFFICE

APR 2 1 2010

STATE OF ILLINOIS
Pollution Control Board



Elizabeth Hoskins Dow (ARDC No. 216262)

Bailey & Glasser, LLP 1003 Western Avenue Joliet, Illinois 60435 (815) 740-4034

Counsel for Hillsboro Energy LLC

Lawyers

BAILEY&GLASSERLLP ___

Internet www.baileyglasser.com Phone (815) 740-4034 Fax (304) 342-1110

1003 Western Avenue Joliett, Illinois 60435

April 19, 20 ECEIVED CLERK'S OFFICE

APR 2 1 2010

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

STATE OF ILLINOIS Pollution Control Board

ORIGINAL

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 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**

Counsel of Record CC: