

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PRAIRIE RIVERS NETWORK  
and SIERRA CLUB,

Petitioners,

v.

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY and  
HILLSBORO ENERGY LLC

Respondents.

PCB 2010-003  
(Third Party NPDES Appeal)

ORIGINAL

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CLERK'S OFFICE  
SEP 23 2010  
STATE OF ILLINOIS  
Pollution Control Board

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 21<sup>st</sup> day of September, 2010, I filed with the Office of the Clerk of the Pollution Control Board the attached 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)  
Bailey & Glasser, LLP  
1003 Western Avenue  
Joliet, Illinois 60435  
(815) 740-4034  
*Counsel for Hillsboro Energy LLC*

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**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 3, 2011. Hillsboro Energy LLC understands that this waiver is revocable, and if its waiver is withdrawn, a 120-day deadline will then be initiated.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 21<sup>st</sup> day of September, 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  
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1021 North Grand Avenue East  
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*Counsel for Hillsboro Energy LLC*

BAILEY & GLASSER<sub>LLP</sub>

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1003 Western Avenue  
Joliet, Illinois 60435

September 21, 2010

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**CLERK'S OFFICE**

**SEP 23 2010**

**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 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