

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
NOV 03 2010
STATE OF ILLINOIS
Pollution Control Board

PCB 2010-003
(Third Party NPDES Appeal)

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 1st day of November, 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

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD


PRAIRIE RIVERS NETWORK)
and SIERRA CLUB,)
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Petitioners,)
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v.) PCB 2010-003
) (Third Party NPDES Appeal)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY and)
HILLSBORO ENERGY LLC)
)
Respondents.)

**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 March 17, 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 Hillsboro Energy LLC understands that this waiver is revocable, and if its waiver is withdrawn, a 120-day deadline will then be initiated.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 1st day of November, 2010:

John Therriault, Clerk
Illinois Pollution Control Board
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Counsel for Hillsboro Energy LLC

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1003 Western Avenue
Joliet, Illinois 60435

November 1, 2010

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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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 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