

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

GENESEO MUNICIPAL UTILITIES,)
)
Petitioner,)
) PCB 11-81
v.) (Permit Appeal - Air)
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

NOTICE OF FILING

TO: Mr. John Therriault Carol Webb, Esq.
Assistant Clerk of the Board Hearing Officer
Illinois Pollution Control Board Illinois Pollution Control Board
100 West Randolph Street 1021 North Grand Avenue East
Suite 11-500 Post Office Box 19274
Chicago, Illinois 60601 Springfield, Illinois 62794-9274
(VIA ELECTRONIC MAIL) (VIA FIRST CLASS MAIL)

(SEE PERSONS ON ATTACHED SERVICE LIST)

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board a copy of Geneseo Municipal Utilities' **NOTICE OF OPEN WAIVER OF 120-DAY DECISION DEADLINE**, a copy of which is hereby served upon you.

Respectfully submitted,

GENESEO MUNICIPAL UTILITIES,
Petitioner,

Dated: June 14, 2011

By: /s/ Monica T. Rios
Monica T. Rios

N. LaDonna Driver
Monica T. Rios
HODGE DWYER & DRIVER
3150 Roland Avenue
Post Office Box 5776
Springfield, Illinois 62705-5776
(217) 523-4900

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

GENESEO MUNICIPAL UTILITIES,)	
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Petitioner,)	
)	PCB 11-81
v.)	(Permit Appeal - Air)
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ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

NOTICE OF OPEN WAIVER OF 120-DAY DECISION DEADLINE

NOW COMES Petitioner, GENESEO MUNICIPAL UTILITIES (“Petitioner”), by and through its attorneys, HODGE DWYER & DRIVER, pursuant to 35 Ill. Admin. Code § 101.308(c)(1), hereby agrees to an open waiver of the statutory 120-day decision deadline for final action by the Illinois Pollution Control Board (“Board”) in this above-referenced proceeding. In support of this Notice, Petitioner states as follows:

1. On May 11, 2011, Petitioner filed a Petition for Review (“Petition”) of the Federally Enforceable State Operating Permit – Revised (“Revised FESOP”) issued to Petitioner on April 6, 2011, by the Illinois Environmental Protection Agency (“Illinois EPA”) for its electric generating plant located in Geneseo, Illinois.

2. On May 19, 2011, the Board accepted Petitioner’s Petition for hearing. Board Order, *Geneseo Municipal Utilities v. Illinois EPA*, PCB No. 11-81 (Ill.Pol.Control.Bd. May 19, 2011).

3. The current statutory decision deadline for this matter is September 8, 2011. Board Order, *Geneseo Municipal Utilities v. Illinois EPA*, PCB No. 11-81 (Ill.Pol.Control.Bd. June 7, 2011).

4. Petitioner and Respondent are currently involved in discussions which may lead to the resolution of all issues pending in this matter.

5. Therefore, Petitioner hereby voluntarily agrees to an open waiver of the statutory 120-day decision deadline in order to conduct settlement negotiations in this matter.

WHEREFORE, Petitioner, GENESEO MUNICIPAL UTILITIES, prays that the Illinois Pollution Control Board accept this open waiver of the statutory 120-day decision deadline for final action on Petitioner's Petition for Review.

Respectfully submitted,

GENESEO MUNICIPAL UTILITIES,
Petitioner,

Dated: June 14, 2011

By: /s/ Monica T. Rios
Monica T. Rios

N. LaDonna Driver
Monica T. Rios
HODGE DWYER & DRIVER
3150 Roland Avenue
Post Office Box 5776
Springfield, Illinois 62705-5776
(217) 523-4900

GNSO:001/Fil/Notice of Open Waiver

CERTIFICATE OF SERVICE

I, Monica T. Rios, the undersigned, certify that I have served the attached

NOTICE OF OPEN WAIVER OF 120-DAY DECISION DEADLINE upon:

Mr. John Therriault
Assistant Clerk of the Board
Illinois Pollution Control Board
100 West Randolph Street
Suite 11-500
Chicago, Illinois 60601

via electronic mail on June 14, 2011; and upon:

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

Sally A. Carter, Esq.
Illinois Environmental Protection Agency
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276

Christine Zeivel, Esq.
Environmental Bureau
Office of the Illinois Attorney General
500 South Second Street
Springfield, Illinois 62706

by depositing said documents in the United States Mail, postage prepaid, in Springfield,
Illinois, on June 14, 2011.

/s/ Monica T. Rios
Monica T. Rios