

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

CONGRESS DEVELOPMENT	)	
COMPANY,	)	
	)	
Petitioner,	)	PCB 11-90
	)	(Permit Appeal – Land)
v.	)	
	)	
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

**PETITIONER CONGRESS DEVELOPMENT COMPANY'S  
WAIVER OF AND MOTION TO EXTEND DECISION DEADLINE**

Petitioner Congress Development Company ("Congress") waives the 120-day decision deadline in Section 40(a)(2) of the Illinois Environmental Protection Act (the "Act"), 415 ILCS 5/40(a)(2), for this proceeding and moves to extend that deadline by up to 35 days. In support of its Motion, Congress states as follows:

1. Congress owns a sanitary landfill in Hillside, Illinois and is a permittee under Illinois Environmental Protection Agency ("IEPA") Permit No. 1995-165-LFM (the "Permit").
2. On June 3, 2011, Congress filed its Petition for Review in this proceeding, seeking review of IEPA's April 29, 2011 decision to deny Congress's January 27, 2011 Application for Permit to modify a solid waste management site.
3. On July 8, 2011, Congress filed its Petition for Review in *Congress Development Company v. Illinois Environmental Protection Agency*, PCB No. 12-12, seeking review of IEPA's June 3, 2011 decision to deny Congress's December 13, 2010 Application for Permit to modify a solid waste management site. At the same time, Congress filed an unopposed motion to consolidate this proceeding with PCB No. 12-12 so that the two permit appeals may be heard and decided together.


4. As stated in its Motion to Consolidate, Congress believes that it would be more convenient, efficient and expeditious for the two permit appeals to be heard and decided together and that consolidation of the two proceedings will not cause material prejudice to any party.

5. Congress therefore expressly and unconditionally waives the 120-day decision deadline in Section 40(a)(2) of the Act, 415 ILCS 5/40(a)(2), for PCB No. 11-90 and moves the Board to extend the decision deadline for this proceeding by up to 35 days.

WHEREFORE, for the foregoing reasons, Congress respectfully requests that the Board extend the decision deadline for this proceeding by up to 35 days.

Dated: July 11, 2011

Respectfully Submitted,

By: 

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**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that on July 11, 2011, Petitioner Congress Development Company's Waiver Of and Motion to Extend Decision Deadline was served upon the following

*by hand delivery:*

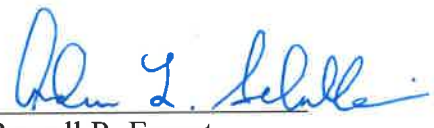
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