

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PRAIRIE RIVERS NETWORK and SIERRA
CLUB,

Petitioners,

v.

ILLINOIS ENVIRONMENTAL PROTECTION
AGENCY and PEABODY GATEWAY NORTH
MINING, LLC,

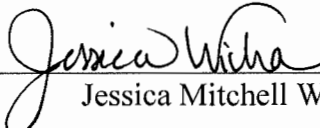
Respondents.

PCB 13-21
(Third Party NPDES Permit Appeal)

NOTICE OF FILING

To: See Attached Certificate of Service

PLEASE TAKE NOTICE that on February 20, 2013, we electronically filed with the Office of the Clerk of the Illinois Pollution Control Board the attached **Waiver of Decision Date** on behalf of Peabody Gateway North Mining, LLC, copies of which are attached hereto and hereby served upon you.



Jessica Mitchell Wicha

Dated: February 20, 2013

John Watson
Jessica Mitchell Wicha
BAKER & MCKENZIE LLP
300 East Randolph Street
Suite 5000
Chicago, IL 60601
312-861-8000

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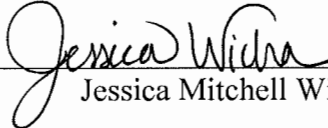
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WAIVER OF DECISION DATE

NOW COMES Respondent, Peabody Gateway North Mining, LLC, by and through its attorneys, Baker & McKenzie LLP, and further waives the Board's statutory decision date in this matter to August 22, 2013.

Respectfully submitted,



Jessica Mitchell Wicha

Dated: February 20, 2013

John Watson
Jessica Mitchell Wicha
BAKER & MCKENZIE LLP
300 East Randolph Street
Suite 5000
Chicago, IL 60601
312-861-8000

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing **Waiver of Decision Date** on behalf of Peabody Gateway North Mining, LLC were served on this 20th day of February, 2013,

Upon the following electronically:

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

And upon the following by U.S. First Class Mail:

Carol Webb
Hearing Officer
Illinois Pollution Control Board
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Jessica Mitchell Wicha