BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

W.R. MEADOWS, INC.,)
Petitioner,)
vs. ILLINOIS ENVIRONMENTAL	Case No. PCB 06-140 (Permit Appeal - Air)
PROTECTION AGENCY,)
Respondent.)

NOTICE OF FILING

TO: Honorable Bradley J. Halloran	Robb H. Layman, Esq.
Hearing Officer	Illinois Environmental Protection Agency
James R. Thompson Center	1021 North Grand Avenue, East
Illinois Pollution Control Board	P.O. Box 19276
100 West Randolph Street, Suite 11-500	Springfield, IL 62794-9276
Chicago, IL 60601	

PLEASE TAKE NOTICE that on this 28th day of October, 2013, a copy of the attached

Status Report of Petitioner and related Certificate of Service were filed with the Office of the

Clerk of the Illinois Pollution Control Board, a copy of which is herewith served on you.

Dated: October 28, 2013

Respectfully Submitted,

On behalf of W.R. MEADOWS, INC., Petitioner

By: Hinskaw & Culbertson LLP

Harvey M. Sheldon One of Its Attorneys

HARVEY M. SHELDON HINSHAW & CULBERTSON LLP 222 North LaSalle Street Chicago, IL 60601 312-704-3504

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W.R. MEADOWS, INC.,)
Petitioner,)
VS.) Case No. PCB 06-140
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,	Case No. PCB 06-140 (Permit Appeal - Air)
Respondent.)

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on this 28th day of October 2013, I have served the attached *Status Report of Petitioner* and related Notice of Filing, by Electronic filing and e-mail upon the following persons:

John Therriault, Clerk

Illinois Pollution Control Board James R. Thompson Center 100 West Randolph Street, Suite 11-500 Chicago, IL 60601

Honorable Bradley J. Halloran

Hearing Officer
James R. Thompson Center
Illinois Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, IL 60601

Dated: October 28, 2013

Robb Layman

Assistant Counsel - Bureau of Air Division of Legal Counsel Illinois Pollution Control Board 1021 North Grand Avenue East P.O. Box 19276 Springfield, IL 62794-9276

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On behalf of W.R. MEADOWS, INC., Petitioner

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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

W.R. MEADOWS, INC.,)
Petitioner,)))
v.	(Permit Appeal- Air)
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,))
Respondent.))

STATUS REPORT OF PETITIONER

Pursuant to an Order of the Hearing Officer, Petitioner W.R. Meadows, Inc. hereby submits its Status Report on the above-numbered Permit Appeal. The Status Report was ordered filed on October 27, 2013, which is a Sunday. This Status Report is timely filed on the next business day.

The Permit Appeal concerns what Petitioner considers an inappropriate denial of renewal of an air emissions operating permit from the Respondent, Illinois EPA (IEPA). The appeal herein is on file to preserve the rights of Petitioner to remain in lawful operation, however the current air emissions and scope of operations of Petitioner are no longer the same as involved in 1995 (for which appeal pends in case PCB 95-107) or in this 2006 appeal.

The appeals deal with the Hampshire Illinois facility of Petitioner. W.R. Meadows' Hampshire, Illinois facility now has volatile organic material ("VOM") emissions of less than 10 tons per year, based on the latest emissions calculations and operating assumptions set forth in the permit documents for the facility. An application for a Federally Enforceable State Operating Permit ("FESOP"), was submitted to the IEPA in 2009 and revised at the Agency's request later that year. An additional revision was completed in 2010, again at the specific request of the IEPA Permit Section personnel. Once the FESOP permit is issued, the agreed

upon permit conditions will establish allowable emissions for the facility under 25 tons per year.

As noted above, the actual emissions from this facility are less than half of that allowable

amount.

On information and belief, the present small emissions rate of Petitioner has resulted in

its permit application languishing at the Agency due to shortages of personnel and time.

Petitioner is patiently waiting for the Agency to act on its pending application.

Undersigned counsel has discussed and communicated in writing with Robb Layman,

attorney for the Agency. We have indicated (and believe IEPA agrees) that there is nothing to be

gained by moving this appeal to trial. Further cost should not be visited on Petitioner for State

delays. We have indicated to the IEPA that W.R. Meadows would be willing to accept a

stipulation by the Agency that it will act by a time certain to make a permit decision on the

presently pending application, and the Board could continue the case to that date. Alternatively,

we would agree to an order that continues this appeal generally until the Agency acts on the

pending application.

Dated: October 28, 2013

Respectfully submitted,

On behalf of W.R. Meadows, Inc., Petitioner

/s/ Harvey M. Sheldon

Harvey M. Sheldon

One of Its Attorneys

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