

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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AUG 06 2007

STATE OF ILLINOIS
Pollution Control Board

JOYCE FARMS,)
)
Petitioner,)
)
v.)
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

PCB 2007-015
(Permit Appeal – Land)

NOTICE OF FILING

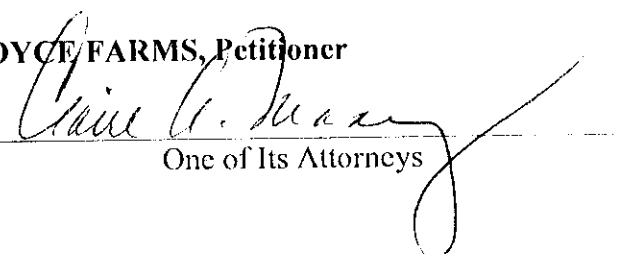
TO: Ms. Dorothy M. Gunn
Clerk of the Board
Illinois Pollution Control Board
100 West Randolph Street
Suite 11-500
Chicago, IL 60601

Greg Richardson
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19726
Springfield, IL 62794-9276

PLEASE TAKE NOTICE that JOYCE FARMS has today filed with the Office of the Clerk of the Illinois Pollution Control Board an original and nine copies of a NOTICE OF OPEN WAIVER OF 120-DAY DECISION DEADLINE, copies of which are hereby serviced upon you.

Respectfully submitted,

JOYCE FARMS, Petitioner



One of Its Attorneys

Dated: August 1, 2007

BROWN, HAY & STEPHENS, LLP

Claire A. Manning
Registration No. 3124724
Charles Y. Davis
Registration No. 6286010
205 S. Fifth Street, Suite 700
P.O. Box 2459
Springfield, IL 62705
(217) 544-8491
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NOTICE OF OPEN WAIVER OF 120-DAY DECISION DEADLINE

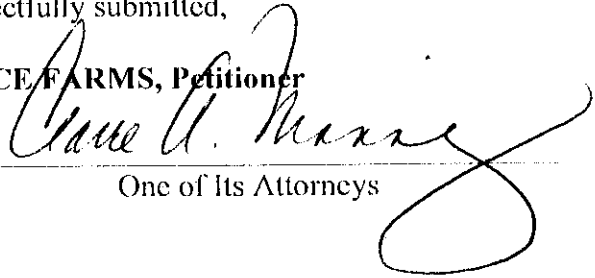
NOW COMES Petitioner, JOYCE FARMS, by its attorneys, Brown, Hay & Stephens, I.L.P, pursuant to 35 Ill. Admin. Code § 101.308(c)(1), and hereby agrees to an open waiver of the statutory 120-day decision deadline for final action by the Illinois Pollution Control Board (“Board”) in the above-referenced proceeding. In support of this Notice, the Petitioner states as follows:

1. On September 1, 2006, Petitioner filed a Petition for Review of Illinois Environmental Protection Agency Decision.
2. On September 7, 2006, the Board accepted this matter for hearing.
3. Petitioner and Respondent are currently involved in settlement discussions that may lead to the resolution of all issues pending in this matter.
4. Petitioner hereby voluntarily agrees to an open waiver of the statutory 120-day decision deadline in order to conduct settlement negotiations in this matter.
5. Counsel for Respondent has been consulted and has no objection to the filing of this open waiver.

WHEREFORE, Petitioner, JOYCE FARMS, 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 of Illinois Environmental Protection Agency Decision.

Respectfully submitted,

JOYCE FARMS, Petitioner



One of Its Attorneys

Dated: August 1, 2007

BROWN, HAY & STEPHENS, LLP

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CERTIFICATE OF SERVICE

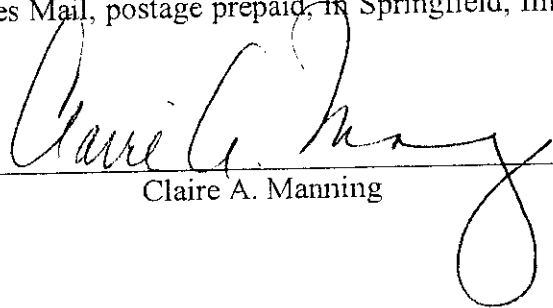
I, Claire A. Manning, the undersigned, certify that I have served the attached **NOTICE OF OPEN WAIVER OF 120-DAY DECISION DEADLINE** upon:

Ms. Dorothy M. Gunn
Clerk of the Board
Illinois Pollution Control Board
100 West Randolph Street
Suite 11-500
Chicago, IL 60601

Greg Richardson
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

Bradley Halloran
James Thompson Center
100 W. Randolph Street
Suite 11-500
Chicago, IL 60601

by depositing said documents in the United States Mail, postage prepaid, in Springfield, Illinois, on August 1, 2007.



Claire A. Manning