

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PRAIRIE RIVERS NETWORK)
and SIERRA CLUB,)
)
 Petitioners,)
)
)
)
)
 v.)
)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY and)
 HILLSBORO ENERGY LLC)
)
 Respondents.)

RECEIVED
CLERK'S OFFICE
JUL 31 2009
STATE OF ILLINOIS
Pollution Control Board

PCB 2010-003
(Third Party NPDES Appeal)

ORIGINAL

NOTICE OF FILING

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

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

Jessica Dexter, Esquire
Albert Ettinger, Esquire
Environmental Law and Policy Center
35 E. Wacker Dr., Suite 1300
Chicago, Illinois 60601

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

PLEASE TAKE NOTICE that on this 29th day of July, 2009, I filed with the Office of the Clerk of the Pollution Control Board the attached Time Certain Waiver of Statutory Decision on Deadlines, a copy of which is herewith served upon you.

HILLSBORO ENERGY LLC

Elizabeth Hoskins Dow
Elizabeth Hoskins Dow (ARDC No. 216262)
Bailey & Glasser, LLP
1003 Western Avenue
Joliet, Illinois 60435
(815) 740-4034

Counsel for Hillsboro Energy LLC

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PRAIRIE RIVERS NETWORK)
and SIERRA CLUB,)
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Petitioners,)
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ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY and)
HILLSBORO ENERGY LLC)
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TIME CERTAIN WAIVER OF
STATUTORY DECISION ON DEADLINES

Respondent, Hillsboro Energy LLC, by counsel, pursuant to Section 101.308 of the General Rules of the Illinois Pollution Control Board and maintenance of the status quo, agrees to waive the applicable statutory time frame until December 31, 2009. Hillsboro Energy LLC understands that this waiver is revocable, and if its waiver is withdrawn, a 120-day deadline will then be initiated.

Respectfully submitted,

HILLSBORO ENERGY LLC
 By Counsel,

Elizabeth Hoskins Dow, esq
 Elizabeth Hoskins Dow (ARDC No. 216262)
 Bailey & Glasser, LLP
 1003 Western Avenue
 Joliet, Illinois 60435
 (815) 740-4034

Counsel for Hillsboro Energy LLC

CERTIFICATE OF SERVICE

I, Elizabeth Hoskins Dow, hereby certify that I have served the attached *Notice of Filing* and *Time Certain Waiver of Statutory Decision on Deadlines* upon the parties to whom said Notice is directed by U.S. Mail, postage prepaid, this 29th day of July, 2009:

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


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Bradley Klein, Esquire
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Bailey & Glasser, LLP
1003 Western Avenue
Joliet, Illinois 60435
(815) 740-4034

Counsel for Hillsboro Energy LLC

BAILEY & GLASSER LLP

Lawyers
Internet www.baileyglasser.com
Phone (815) 740-4034 Fax (304) 342-1110

1003 Western Avenue
Joliet, Illinois 60435

July 29, 2009

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STATE OF ILLINOIS
Pollution Control Board

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

Re: Prairie Rives Network and Sierra Club v.
Illinois Environmental Protection Agency and
Hillsboro Energy, LLC
PCB 2010-003

ORIGINAL

Dear Mr. Therriault:

Enclosed for filing in the above matter please find the originally executed Notice of Filing and Time Certain Waiver of Statutory Decision on Deadlines.

Copies have been provided to counsel of record in accordance with the Certificate of Service.

Sincerely,



Lissa Dow

LD/les
Enclosures

cc: Counsel of Record