

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

BUNGE-SCF GRAIN, LLC,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB No. 11-57
	)	(Air Permit Appeal)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

**NOTICE OF FILING**

TO: Mr. John T. Therriault	Carol Webb, Esq.
Assistant Clerk	Hearing Officer
Illinois Pollution Control Board	Illinois Pollution Control Board
James R. Thompson Center	1021 North Grand Avenue East
100 West Randolph, Suite 11-500	Post Office Box 19274
Chicago, Illinois 60601	Springfield, Illinois 62794-9274
<b>(VIA ELECTRONIC MAIL)</b>	<b>(VIA FIRST CLASS MAIL)</b>

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board a **NOTICE OF WAIVER OF 120-DAY DECISION DEADLINE**, a copy of which is herewith served upon you.

Respectfully submitted,

BUNGE-SCF GRAIN, LLC,  
Petitioner,

Dated: December 12, 2011

By: /s/ Lauren C. Lurkins  
One of Its Attorneys

Katherine D. Hodge  
Lauren C. Lurkins  
HODGE DWYER & DRIVER  
3150 Roland Avenue  
Post Office Box 5776  
Springfield, Illinois 62705-5776  
(217) 523-4900

**CERTIFICATE OF SERVICE**

I, Lauren C. Lurkins, the undersigned, hereby certify that I have served the attached NOTICE OF WAIVER OF 120-DAY DECISION DEADLINE upon:

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

via electronic mail on December 12, 2011; and upon:

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

Thomas E. Davis, Esq.  
Chief of Environmental Bureau  
Office of the Illinois Attorney General  
500 South Second Street  
Springfield, Illinois 62706

by depositing said documents in the United States Mail, postage prepaid, in Springfield,

Illinois on December 12, 2011.

/s/ Lauren C. Lurkins  
Lauren C. Lurkins

BUNG:022/Fil/NOF & COS - Waiver6

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	)	(Air Permit Appeal)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

**NOTICE OF WAIVER OF  
120-DAY DECISION DEADLINE**

NOW COMES Petitioner, BUNGE-SCF GRAIN, LLC ("SCF"), a Delaware Limited Liability Company, by and through its attorneys, HODGE DWYER & DRIVER, pursuant to 35 Ill. Admin. Code § 101.308(c)(2), and hereby agrees to waive the statutory 120-day decision deadline for final action by the Illinois Pollution Control Board in this proceeding until July 26, 2012. In support of this Notice, SCF states as follows:

1. On March 2, 2011, SCF filed a Petition for Review of the Construction Permit issued to it by the Illinois Environmental Protection Agency on January 27, 2011.
2. On March 18, 2011, SCF filed a Notice of Waiver of 120-Day Decision Deadline for an Additional 40 Days, or until August 9, 2011.
3. On April 18, 2011, SCF filed a Notice of Waiver of 120-Day Decision Deadline until October 6, 2011.
4. On June 14, 2011, SCF filed a Notice of Waiver of 120-Day Decision Deadline until December 15, 2011.
5. On August 15, 2011, SCF filed a Notice of Waiver of 120-Day Decision Deadline until February 16, 2012.

6. On October 20, 2011, SCF filed a Notice of Waiver of 120-Day Decision Deadline until May 17, 2012.

7. The current statutory decision deadline is May 17, 2012.

8. SCF hereby voluntarily agrees to waive the statutory 120-day decision deadline until July 26, 2012, in order to conduct settlement negotiations in this matter.

WHEREFORE, Petitioner, BUNGE-SCF GRAIN, LLC, prays that the Illinois Pollution Control Board accept this waiver of the statutory 120-day decision deadline for final action on BUNGE-SCF GRAIN, LLC's appeal of the Construction Permit issued to it by the Illinois Environmental Protection Agency.

Respectfully submitted,

BUNGE-SCF GRAIN, LLC,  
Petitioner,

By: /s/ Lauren C. Lurkins  
One of Its Attorneys

Dated: December 12, 2011

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