

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

J & A INVESTORS, LLC,)	
)	
Petitioner,)	
)	
v.)	PCB No. 14-23
)	(Permit Appeal - Water)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

NOTICE OF FILING

TO: Mr. John Therriault	Carol Webb, Esq.
Assistant Clerk of the Board	Hearing Officer
Illinois Pollution Control Board	Illinois Pollution Control Board
100 West Randolph Street	1021 North Grand Avenue East
Suite 11-500	Post Office Box 19274
Chicago, Illinois 60601	Springfield, Illinois 62794-9274
(VIA ELECTRONIC MAIL)	(VIA FIRST CLASS MAIL)

(SEE PERSONS ON ATTACHED SERVICE LIST)

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board a copy of J & A INVESTORS, LLC's **NOTICE OF LIMITED WAIVER OF 120-DAY DECISION DEADLINE**, a copy of which is hereby served upon you.

Respectfully submitted,

J & A INVESTORS, LLC,
Petitioner,

Dated: October 23, 2013

By: /s/ Edward W. Dwyer
One of Its Attorneys

Edward W. Dwyer
Joshua J. Houser
HODGE DWYER & DRIVER
3150 Roland Avenue
Post Office Box 5776
Springfield, Illinois 62705-5776
(217) 523-4900

CERTIFICATE OF SERVICE

I, Edward W. Dwyer, the undersigned, certify that I have served the attached

NOTICE OF LIMITED WAIVER OF 120-DAY DECISION DEADLINE upon:

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

via electronic mail on October 23, 2013; 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.
Jane E. McBride, Esq.
Office of the Illinois Attorney General
500 South Second Street
Springfield, Illinois 62706

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

by depositing said documents in the United States Mail, postage prepaid, in Springfield,
Illinois, on October 23, 2013.

/s/ Edward W. Dwyer
Edward W. Dwyer

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

J & A INVESTORS, LLC,)	
)	
Petitioner,)	
)	
v.)	PCB No. 14-23
)	(Permit Appeal - Air)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

NOTICE OF LIMITED WAIVER OF 120-DAY DECISION DEADLINE

NOW COMES Petitioner, J & A INVESTORS, LLC, (“Petitioner”), by and through its attorneys, HODGE DWYER & DRIVER, pursuant to 35 Ill. Admin. Code § 101.308(c)(2), hereby agrees to a limited waiver of the statutory 120-day decision deadline for final action by the Illinois Pollution Control Board (“Board”) in this proceeding until April 3, 2014. In support of this Notice, Petitioner states as follows:

1. On September 17, 2013, Petitioner filed a Petition for Review (“Petition”) of the permit determination of the “Supplemental Permit – Application of Sludge” issued to Petitioner by the Illinois Environmental Protection Agency (“Illinois EPA”) on August 14, 2013, at Petitioner’s pork harvesting facility located in Rantoul, Illinois, and operated by Rantoul Foods LLC.
2. On October 3, 2013, the Board accepted Petitioner’s Petition for Hearing, but reserved ruling on the Motion for Stay. Board Order, *J & A Investors, LLC v. Illinois EPA*, PCB No. 14-23 (Ill.Pol.Control.Bd. Oct. 3, 2013).
3. The current statutory decision deadline for this matter is January 9, 2014.

4. Petitioner hereby voluntarily agrees to a limited waiver of the statutory 120-day decision deadline until April 3, 2014, in order to conduct settlement negotiations with Illinois EPA in this matter.

WHEREFORE, Petitioner, J & A INVESTORS, LLC, prays that the Illinois Pollution Control Board accept this limited waiver of the statutory 120-day decision deadline for final action on Petitioner's Petition for Review.

Respectfully submitted,

J & A INVESTORS, LLC,
Petitioner,

Dated: October 23, 2013

By: /s/ Edward W. Dwyer
Edward W. Dwyer

Edward W. Dwyer
Joshua J. Houser
HODGE DWYER & DRIVER
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RANT 279.001/Fil/PCB 14-23Notice of Waiver