

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

WILL SCARLETT PROPERTIES LLC,)

Petitioner,)

v.)

**ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)**

Respondent,)

**PCB No. 14-25)
(NPDES Permit Appeal)**

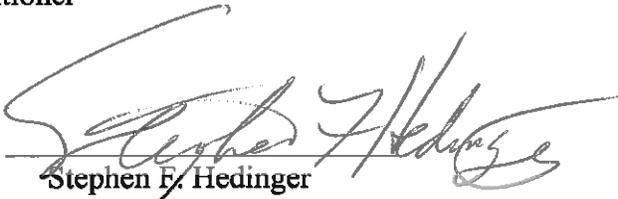
NOTICE OF ELECTRONIC FILING

PLEASE TAKE NOTICE that on May 5, 2014, I electronically filed with the Clerk of the Pollution Control Board of the State of Illinois, c/o John T. Therriault, Assistant Clerk, James R. Thompson Center, 100 West Randolph St., Suite 11-500, Chicago, IL 60601, the Petitioner's Time Certain Waiver of Decision Deadline, a copy of which are attached hereto and herewith served upon you.

Date: May 5, 2014

Respectfully submitted,

**WILL SCARLETT PROPERTIES LLC
Petitioner**

By: 
Stephen F. Hedinger

Sorling Northrup
Stephen F. Hedinger, of Counsel
1 North Old State Capitol Plaza, Suite 200
P.O. Box 5131
Springfield, IL 62705
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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

WILL SCARLET PROPERTIES LLC,)

Petitioner,)

v.)

**PCB No. 14-25
(NPDES Permit Appeal)**

**ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY.)**

Respondent,)

TIME CERTAIN WAIVER OF DECISION DEADLINE

NOW COMES the Petitioner, WILL SCARLET PROPERTIES LLC, through its attorneys, Sorling Northrup, Stephen F. Hedinger of counsel, and pursuant to 35 Ill. Adm. Code 101.308(c)(2), hereby waives to a time certain the deadline within which this Board is to render a decision on Petitioner's request for review of certain conditions imposed in the Renewed NPDES Permit granted by the Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY (the "Agency"), in this matter, said waiver to be to and until January 1, 2015.

In support of this waiver, Petitioner states as follows:

1. On November 22, 2013, Petitioner filed with this Board its Petition for Review of NPDES Permit Conditions and Motion for Order Acknowledging Stay, which seeks this Board's review of certain conditions imposed by the Agency in renewing Petitioner's NPDES permit for its closed mine facility located near Stonefort, Illinois, in Saline and Williamson Counties.

2. Pursuant to Section 40(a)(3) of the Illinois Environmental Protection Act, 415 ILCS 5/40(a)(3), and 35 Ill. Adm. Code 101.308(a), this Board must render a decision on Petitioner's permit appeal within 120 days following the filing of the petition, which is March 22, 2014.

3. However, pursuant to this Board's procedural rules at 35 Ill. Adm. Code 308(c), a permit applicant involved in a permit appeal proceeding may extend this Board's decision deadline for either a time certain or through an open waiver.

4. Petitioner previously filed a waiver of the decision deadline which extended the deadline to and until September 22, 2014. Further, Petitioner at this time submits its time certain waiver of decision deadline, agreeing to and authorizing an extension of the decision deadline by approximately 3 months beyond the current deadline, to and until January 1, 2015.

WHEREFORE Petitioner, WILL SCARLET PROPERTIES LLC, voluntarily agrees to and waives the deadline for decision in this matter to the time certain of January 1, 2015.

Date: May 5, 2014

Respectfully submitted,

WILL SCARLET PROPERTIES LLC
Petitioner

By:



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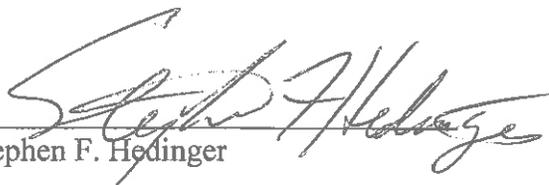
**NOTICE OF FILING AND
CERTIFICATE OF SERVICE**

I, the undersigned, an attorney, certify that I have served a copy of the foregoing Notice of Electronic Filing and Time Certain Waiver of Decision Deadline upon:

Ellen F. O'Laughlin
Assistant Attorney General
Illinois Attorney General's Office
69 West Washington Street, Suite 1800
Chicago, IL 60602

Carol Webb
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

by depositing same in the U.S. Mail, first class, postage prepaid, on this 5th day of May, 2014.


Stephen F. Hedinger

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