

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

SCF DEVELOPMENT, 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
(VIA ELECTRONIC MAIL)	(VIA FIRST CLASS MAIL)

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 FOR AN ADDITIONAL 40 DAYS**, a copy of which is herewith served upon you.

Respectfully submitted,

SCF DEVELOPMENT, LLC,
Petitioner,

Dated: March 18, 2011

By: /s/ Katherine D. Hodge
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, Katherine D. Hodge, the undersigned, hereby certify that I have served the attached
NOTICE OF WAIVER OF 120-DAY DECISION DEADLINE FOR AN ADDITIONAL 40
DAYS 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 March 18, 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

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 March 18, 2011.

/s/ Katherine D. Hodge
Katherine D. Hodge

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**NOTICE OF WAIVER OF 120-DAY
DECISION DEADLINE FOR AN ADDITIONAL 40 DAYS**

NOW COMES Petitioner, SCF DEVELOPMENT, 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 for an additional 40 days, or until August 9, 2011. 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. The current statutory decision deadline is June 30, 2011.
3. SCF hereby voluntarily agrees to waive the statutory 120-day decision deadline for an additional 40 days, or until August 9, 2011, in order to conduct settlement negotiations in this matter.

WHEREFORE, Petitioner, SCF DEVELOPMENT, LLC, prays that the Illinois Pollution Control Board accept this waiver of the statutory 120-day decision deadline for

an additional 40 days for final action on SCF Development, LLC's appeal of the Construction Permit issued to it by the Illinois Environmental Protection Agency.

Respectfully submitted,

SCF DEVELOPMENT, LLC,
Petitioner,

By: /s/ Katherine D. Hodge
One of Its Attorneys

Dated: March 18, 2011

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Lauren C. Lurkins
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BUNG:022/Fil/Waiver of 120-Day Decision Deadline