BEFORE THE ILLINOIS POLLUTION CONTROL BOARD CLERK'S OFFICE

SWIF-T FOOD MART,) JAN 2 6 2004
Petitioner,	STATE OF ILLINOIS Pollution Control Board
v. ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,	PCB 04-112 (UST appeal)
Respondent.	}

OPEN WAIVER OF DECISION DEADLINE

NOW COMES Petitioner, SWIF-T FOOD MART, through its undersigned attorney, and pursuant to this Board's procedural rule 101.308(c)(1), 35 Ill. Adm. Code Sec. 101.308(c)(1), hereby waives its right to a decision by the current decision deadline, and extends the deadline for final Board action for an indefinite period of time, until such time as Petitioner elects to reinstate the decision period.

Respectfully submitted,

Swif-T Food Mart, Petitioner,

By its attorney,

HEDINGER LAW OFFICE

Stephen F. Hedinge

Hedinger Law Office 2601 South Fifth Street Springfield, IL 62703 (217) 523-2753 phone (217) 523-4366 fax

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Petitioner,

Petitioner,

PCB 04-11QLERK'S OFFICE

(UST appeal)

JAN 2 6 2004

Respondent.

Respondent.

NOTICE OF FILING AND PROOF OF SERVICE

To: Pollution Control Board, Attn: Clerk 100 West Randolph Street James R. Thompson Center Suite 11-500 Chicago, IL 60601-3218

> Division of Legal Counsel Illinois Environmental Protection Agency 1021 N. Grand Ave. East P.O. Box 19276 Springfield, IL 62794-9276

PLEASE TAKE NOTICE that on the Quaday of January, 2004, we sent via U.S. first class mail to the Clerk of the Pollution Control Board the original and nine copies of the OPEN WAIVER OF DECISION DEADLINE for filing in the above entitled cause.

The undersigned certifies that a true and correct copy of the OPEN WAIVER DECISION DEADLINE was served upon each of the above-identified individuals via U.S. mail, by enclosing the same in envelopes properly addressed, with postage fully prepaid, and by depositing said envelopes in a U.S. Post Office mail box, on the Que day of January, 2004.

Stephen F. Hedinger

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THIS FILING IS SUBMITTED ON RECYCLED PAPER