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JUL 23 2004

STATE OF ILLINOIS
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS STATE TOLL HIGHWAY
AUTHORITY (Lincoln South HPCAP/B),

Petitioner,

v.

ILLINOIS ENVIRONMENTAL PROTECTION
AGENCY,

Respondent.

PCB - 04-141
(UST Appeal)

NOTICE OF FILING AND PROOF OF SERVICE

TO: Brad Halloran
Hearing Officer
Illinois Pollution Control Board
100 W. Randolph, Suite 11-500
Chicago, IL 60601

John Kim
Special Assistant Attorney General
Illinois Environmental Protection Agency
P.O. Box 19276
1021 North Grand Avenue, East
Springfield, IL 62794-9276

PLEASE TAKE NOTICE that on July 23, 2004, we filed with the Clerk of the Illinois Pollution Control Board the originals and nine (9) copies each, via personal delivery, of Petitioner's Waiver of Statutory Deadline, for filing in the above-entitled cause, copies of which are attached hereto.

The undersigned hereby certifies that true and correct copies of the Notice of Filing, together with copies of the documents described above, were served upon the above-named persons by enclosing same in envelopes addressed to said persons, and by depositing said envelopes in a United States Post Office Mail Box at Chicago, Illinois, with postage fully prepaid, on the 23rd day of July, 2004.


Special Assistant Attorney General,
Illinois State Toll Highway Authority

Kenneth W. Funk, Esq.
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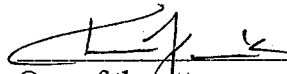
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WAIVER OF STATUTORY DEADLINE

Petitioner, Illinois State Toll Highway Authority, by its attorneys Deutsch, Levy & Engel, Chartered, waives generally the statutory deadline in this matter, as described in 415 ILCS 5/40(a)(2), through February 1, 2005.

Respectfully submitted,


One of the attorneys for Petitioner,
Illinois State Toll Highway Authority

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