

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
OF THE STATE OF ILLINOIS

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APR 02 2009

STATE OF ILLINOIS
Pollution Control Board

JOHNSON OIL COMPANY, LLC,)
)
Petitioner,)
)
vs.)
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

PCB No. 09-61
(UST Appeal)

NOTICE OF FILING

To:

Bill Ingersoll
Illinois Environmental Protection Agency
Division of Legal Counsel
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street
Suite 11-500
Chicago, Illinois 60601

Carol Webb, Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
P.O. Box 19274
Springfield, IL 62794-9274

PLEASE TAKE NOTICE that I have today, March 30, 2009, filed with the Clerk of the Illinois Pollution Control Board an OPEN WAIVER OF STATUTORY DECISION DEADLINES, a copy of which is herewith served upon you through United States Mail return receipt requested.

Respectfully Submitted,

PLEWS SHADLEY RACHER & BRAUN LLP

F. Ronalds Walker, Jr.
F. Ronalds Walker, Atty. No. 2922223
John D. Moriarty, Ind. Atty No. 1920249
PLEWS SHADLEY RACHER & BRAUN LLP
1346 N. Delaware Street
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**OPEN WAIVER OF
STATUTORY DECISION DEADLINES**

Petitioner, Johnson Oil Company, LLC ("Johnson Oil"), pursuant to 35 Ill. Adm. Code § 101.308 hereby notifies the Illinois Pollution Control Board ("Board") that it waives the Board's statutory decision deadlines for an unlimited open period until Johnson Oil notifies the Board with advance written notice that Johnson Oil has rescinded this open waiver. Johnson Oil further informs the Board that on March 30, 2009 Johnson Oil and the Illinois Environmental Protection Agency ("Agency") participated in a status conference with the Honorable Carol Webb and that the parties agreed to continue settlement discussions with a status conference scheduled for **June 9, 2009 at 10:00 a.m.** Central Standard time.

Respectfully Submitted,

PLEWS SHADLEY RACHER & BRAUN LLP

F. Ronalds Walker, J.D.M.

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John D. Moriarty, Ind. Atty. No. 1920249
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Indianapolis, Indiana 46202
Ph: (317) 637-0700
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CERTIFICATE OF SERVICE

I, the undersigned attorney at law, hereby certify that on March 30, 2009, I served true and correct copies of the Open Waiver of Statutory Decision Deadlines, by placing true and correct copies in properly sealed and addressed envelopes and by depositing said sealed envelopes in a U.S. mail box with sufficient postage affixed thereto, upon the following named persons:

Bill Ingersoll
Illinois Environmental Protection Agency
Division of Legal Counsel
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