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JUN 3 2003

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD  
STATE OF ILLINOIS  
Pollution Control Board

WARECO SERVICE, INC. )  
 )  
 Petitioner, )  
 )  
 v. ) PCB No. 03-160  
 ) (UST - Petition  
 ILLINOIS ENVIRONMENTAL ) for Review)  
 PROTECTION AGENCY )  
 )  
 Respondent. )

**NOTICE OF FILING**

TO: Ms. Dorothy M. Gunn Carol Sudman, Esq.  
Clerk of the Board Hearing Officer  
Illinois Pollution Control Board Illinois Pollution Control Board  
100 West Randolph Street 600 South Second Street  
Suite 11-500 Suite 402  
Chicago, Illinois 60601 Springfield, Illinois 62704  
**(VIA FIRST CLASS MAIL)** **(VIA FIRST CLASS MAIL)**

(PERSONS ON ATTACHED SERVICE LIST)

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board an original and nine copies each of a **NOTICE OF WAIVER OF 120-DAY DECISION DEADLINE FOR AN ADDITIONAL NINETY (90) DAYS** and a **NOTICE OF WITHDRAWAL OF APPEARANCE**, copies of which are herewith served upon you.

Respectfully submitted,

WARECO SERVICE, INC.,  
Petitioner,

Dated: May 28, 2003

By: Cassandra Karim  
One of Its Attorneys

Edward W. Dwyer  
HODGE DWYER ZEMAN  
3150 Roland Avenue  
Post Office Box 5776  
Springfield, Illinois 62705-5776  
(217) 523-4900

**THIS FILING SUBMITTED ON RECYCLED PAPER**

**CERTIFICATE OF SERVICE**

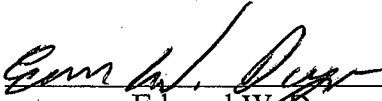
I, Edward W. Dwyer, the undersigned, certify that I have served the attached  
NOTICE OF WAIVER OF 120-DAY DECISION DEADLINE FOR AN ADDITIONAL  
NINETY (90) DAYS and NOTICE OF WITHDRAWAL OF APPEARANCE upon:

Ms. Dorothy M. Gunn  
Clerk of the Board  
Illinois Pollution Control Board  
100 West Randolph Street  
Suite 11-500  
Chicago, Illinois 60601

Carol Sudman, Esq.  
Hearing Officer  
Illinois Pollution Control Board  
600 South Second Street  
Suite 402  
Springfield, Illinois 62704

Illinois Environmental Protection Agency  
Division of Legal Counsel  
1021 North Grand Avenue East  
Post Office Box 19276  
Springfield, Illinois 62794-9276

by depositing said documents in the United States Mail in Springfield, Illinois, postage  
prepaid, on May 28, 2003.

  
Edward W. Dwyer

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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STATE OF ILLINOIS  
*Pollution Control Board*

WARECO SERVICE, INC., )  
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 Petitioner, )  
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 v. )  
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 ILLINOIS ENVIRONMENTAL )  
 PROTECTION AGENCY, )  
 )  
 Respondent. )

PCB No. 03-160  
 (UST - Petition  
 for Review)

**NOTICE OF WAIVER OF 120-DAY DECISION  
 DEADLINE FOR AN ADDITIONAL NINETY (90) DAYS**

NOW COMES Petitioner, WARECO SERVICE, INC. ("Petitioner"), by its attorneys, HODGE DWYER ZEMAN, pursuant to 35 Ill. Admin. Code § 101.308, and hereby agrees to waive the statutory one hundred twenty (120) day decision deadline for final action by the Illinois Pollution Control Board ("Board"), in the above-referenced proceeding, for an additional ninety (90) days, or until, October 20, 2003.

1. Petitioner filed a Petition for Review of Agency Determination Regarding Amended Site Classification Work Plan Budget ("Petition") with the Board on March 24, 2003.

2. On April 3, 2003, the Board accepted this matter for hearing. The statutory decision deadline in this matter is July 22, 2003.

3. On May 19, 2003, at the request of the Board Hearing Officer, the parties participated in a telephonic status conference. During the status conference, the parties apprised the Hearing Officer of the status of negotiations in the matter and Petitioner agreed to file a waiver of decision deadline if it appeared that the matter would not be

settled prior to the July 22, 2003, statutory decision deadline. Another telephonic status conference has been scheduled for July 1, 2003.

4. The parties are currently engaged in discussions that may result in the resolution of this matter. However, these negotiations could possibly extend beyond the statutory decision deadline.

5. Therefore, Petitioner hereby voluntarily agrees to a waiver of the statutory one hundred twenty (120) day decision deadline for ninety (90) days, or until October 20, 2003, to provide the parties with an opportunity to resolve this matter without the need for hearing.

WHEREFORE, Petitioner, WARECO SERVICE, INC., prays that the Illinois Pollution Control Board accepts this waiver of the statutory one hundred twenty (120) day decision deadline for ninety (90) days, or until October 20, 2003, for final action on Petitioner's Petition for Review of Agency Determination Regarding Amended Site Classification Work Plan Budget.

Respectfully submitted,

WARECO SERVICE, INC.  
Petitioner,

By: Cassandra Karwin  
One of Its Attorneys

Dated: May 28, 2003

Edward W. Dwyer  
HODGE DWYER ZEMAN  
3150 Roland Avenue  
Post Office Box 5776  
Springfield, Illinois 62705-5776  
(217) 523-4900  
WARE:001/Fil/Notice of Waiver - Galesburg #224

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

WARECO SERVICE, INC.	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB No. 03-160
	)	(UST – Petition
ILLINOIS ENVIRONMENTAL	)	for Review)
PROTECTION AGENCY	)	
	)	
Respondent.	)	

**NOTICE OF WITHDRAWAL OF APPEARANCE**

NOW COMES Cassandra L. Karimi, of the law firm of HODGE DWYER ZEMAN (“HDZ”), and pursuant to 35 Ill. Admin. Code § 101.400(b) hereby withdraws her appearance on behalf of Petitioner, WARECO SERVICE, INC., in the above-captioned proceeding. Edward W. Dwyer will continue as legal counsel for Wareco Service, Inc. in this matter.

Respectfully submitted,

WARECO SERVICE, INC.  
Petitioner,

By: Cassandra Karimi  
Cassandra L. Karimi

Dated: May 28, 2003

Edward W. Dwyer  
HODGE DWYER ZEMAN  
3150 Roland Avenue  
Post Office Box 5776  
Springfield, Illinois 62705-5776  
(217) 523-4900

WARE:001/Fil/CLK Withdrawal (Galesburg #224)