

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD CLERK'S OFFICE

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OCT 27 2003

STATE OF ILLINOIS  
Pollution Control Board

MIDWEST PETROLEUM COMPANY, )  
d/b/a GODFREY SUNOCO, )  
 )  
Petitioner, )  
 )  
v. )  
 )  
ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
 )  
Respondent. )

PCB 03-59  
(UST Appeal)

NOTICE OF FILING AND PROOF OF SERVICE

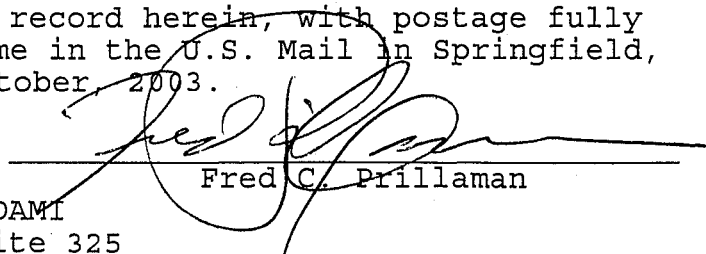
TO: Dorothy Gunn, Clerk  
Illinois Pollution Control Board  
100 West Randolph Street  
State of Illinois Building  
Suite 11-500  
Chicago, IL 60601

Carol Sudman  
Hearing Office  
Illinois Pollution Control Board  
600 S. Second Street, Suite 402  
Springfield, IL 62704

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

PLEASE BE ADVISED THAT we are today filing with the Pollution Control Board the original and nine copies of Fifth Waiver of Deadline for Decision, a copy of which is attached hereto.

The undersigned hereby certifies that a true and correct copy of this Notice of Filing, together with a copy of the document described above, were today served upon the hearing officer via facsimile transmission and upon the hearing officer and counsel of record of all parties to this cause by enclosing same in envelopes addressed to such attorneys at their business addresses as disclosed by the pleadings of record herein, with postage fully prepaid, and by depositing same in the U.S. Mail in Springfield, Illinois on the 23<sup>rd</sup> day of October, 2003.



Fred C. Prillaman

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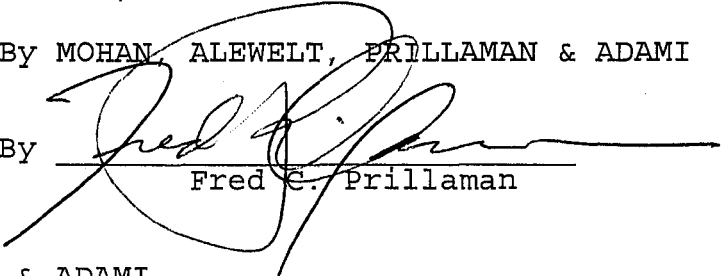
**FIFTH WAIVER OF DEADLINE FOR DECISION**

NOW COMES Petitioner, MIDWEST PETROLEUM COMPANY, d/b/a GODFREY SUNOCO, by its undersigned attorneys, and files this waiver of deadline pursuant to Section 101.308(c)(1) of the Board's Procedural Rules, 35 Ill. Adm. 101.308(c)(1) hereby waiving its right to a decision within 120 days of filing, as provided in Section 40(a)(2) of the Illinois Environmental Protection Act (415 ILCS 5/40(a)(2)), provided that such final action be taken by the Board on or before May 5, 2004.

Respectfully submitted,

MIDWEST PETROLEUM COMPANY, d/b/a GODFREY SUNOCO, Petitioner

By MOHAN, ALEWELT, PRILLAMAN & ADAMI

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