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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

STATE OF ILLINOIS
Pollution Control Board

ETHYL PETROLEUM ADDITIVES, INC.,)
)
 Petitioner,)
)
 v.)
)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

PCB No. 04-113
(CAAPP Permit Appeal)

NOTICE OF FILING

TO: Ms. Dorothy M. Gunn
Clerk of the Board
Illinois Pollution Control Board
100 West Randolph Street
Suite 11-500
Chicago, Illinois 60601
(VIA FIRST CLASS MAIL)


Carol Sudman, Esq.
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
Post Office Box 19274
Springfield, Illinois 62794-9274
(VIA FIRST CLASS MAIL)

(SEE 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 of a **NOTICE OF WAIVER OF 120-DAY DECISION DEADLINE FOR AN ADDITIONAL FORTY DAYS**, copies of which are hereby served upon you.

Respectfully submitted,

ETHYL PETROLEUM ADDITIVES, INC.
Petitioner,

By: 

N. LaDonna Driver

Dated: January 28, 2004

Katherine D. Hodge
N. LaDonna Driver
HODGE DWYER ZEMAN
3150 Roland Avenue
Post Office Box 5776
Springfield, Illinois 62705-5776
(217) 523-4900

CERTIFICATE OF SERVICE

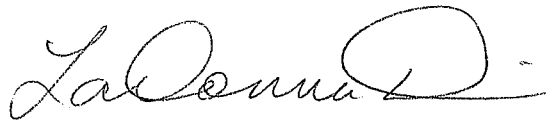
I, N. LaDonna Driver, the undersigned, certify that I have served the attached
NOTICE OF WAIVER OF 120-DAY DECISION DEADLINE FOR AN ADDITIONAL
FORTY DAYS upon:

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
1021 North Grand Avenue East
Post Office Box 19274
Springfield, Illinois 62794-9274

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

by depositing said documents in the United States Mail, postage prepaid, in Springfield,
Illinois, on January 28, 2004.



N. LaDonna Driver

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Pollution Control Board

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Petitioner,)

v.)

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)

Respondent.)

PCB No. 04-113
(CAAPP Permit Appeal)

**NOTICE OF WAIVER OF 120-DAY
DECISION DEADLINE FOR AN ADDITIONAL FORTY DAYS**

NOW COMES Petitioner, ETHYL PETROLEUM ADDITIVES, INC.

("Petitioner"), by and through its attorneys, HODGE DWYER ZEMAN, pursuant to 35 Ill. Admin. Code § 101.105(c)(2), and hereby agrees to waive the statutory 120-day decision deadline for final action by the Illinois Pollution Control Board ("Board"), in the above-referenced proceeding, for an additional 40 days, or until June 13, 2004. In support of this Notice, the Petitioner states as follows:

1. On January 2, 2004, Petitioner filed a Petition for Review of the Clean Air Act Permit Program ("CAAPP") permit granted to Petitioner by the Illinois Environmental Protection Agency ("Illinois EPA") on December 1, 2003. Pursuant to the Board's Order, dated January 8, 2004, the current statutory decision deadline for this matter is May 4, 2004.

2. Petitioner hereby voluntarily agrees to a waiver of the statutory 120-day decision deadline, for an additional 40 days, or until June 13, 2004, in order to conduct settlement negotiations in this matter.

WHEREFORE, Petitioner, ETHYL PETROLEUM ADDITIVES, INC., prays that the Illinois Pollution Control Board accepts this waiver of the statutory 120-day decision deadline for an additional 40 days for final action on Petitioner's Petition for Review of the CAAPP permit issued to it by the Illinois Environmental Protection Agency.

Respectfully submitted,

ETHYL PETROLEUM ADDITIVES, INC.
Petitioner,

By: 
One of Its Attorneys

Dated: January 28, 2004

Katherine D. Hodge
N. LaDonna Driver
HODGE DWYER ZEMAN
3150 Roland Avenue
Post Office Box 5776
Springfield, Illinois 62705-5776
(217) 523-4900

ETHL:007/Fil/Notice of Waiver