

**BEFORE THE
ILLINOIS POLLUTION CONTROL BOARD**

MARTIN OIL MARKETING, LTD.,)
)
 Petitioner,)
)
 v.)
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
 Respondent.)

No. PCB 04-68
(UST Appeal)

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STATE OF ILLINOIS
Pollution Control Board

NOTICE OF FILING

To: See Attached Service List

PLEASE TAKE NOTICE that on February 24, 2004, we filed with the Clerk of the Illinois Pollution Control Board, 100 West Washington Street, Suite 11-500, Chicago, Illinois 60601, an original and thirteen (13) copies of **Petitioner's Open Waiver of Statutory Decision Deadline**, a copy of which is attached hereto and hereby served upon you.

MARTIN OIL MARKETING, LTD.

By Joe Madonia
One of its attorneys

Joseph F. Madonia
WILDMAN HARROLD ALLEN & DIXON, LLP
225 West Wacker Drive, Suite 2800
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312-201-2000

PROOF OF SERVICE
(Martin Oil Marketing, Ltd. v. IEPA)
No. PCB 04-68

I, Larysa Dema, a non-attorney, certify that I served a copy of the foregoing **Petitioner's Open Waiver of Statutory Decision Deadline and Notice of Filing** upon the following by U.S. Mail and depositing same at 225 W. Wacker, Chicago, Illinois, 60606 on this 24th day of February, 2004, with proper postage prepaid:

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

Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
100 W. Randolph Street
Chicago, Illinois 60601



[X] Under penalties as provided by law pursuant to ILL. REV. STAT. CHAP. 110 - SEC 1-109, I certify that the statements set forth herein are true and correct.

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PETITIONER'S OPEN WAIVER
OF STATUTORY DECISION DEADLINE

Petitioner, Martin Oil Marketing, Ltd., through its attorneys, Wildman, Harrold, Allen & Dixon LLP, hereby waives, pursuant to the "Open Waiver" provision set forth at 35 Ill. Adm. Code 101.308(c)(2), the statutory decision deadlines for this matter.

Respectfully submitted,

MARTIN OIL MARKETING, LTD.

By: Joe Madonia
One of its attorneys

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