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FEB 2 5 2004

STATE OF ILLINOIS Pollution Control Board

BEFORE THE POLLUTION CONTROL BOARD OF THE STATE OF ILLINOIS

PCB 04- /

(UST Appeal)

CIRCLE C, INC.,

Petitioner,

v.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,

Respondent.

NOTICE OF FILING

TO: John Kim Special Assistant Attorney General Illinois Environmental Protection Agency 1021 North Grand Avenue East P.O. Box 19276 Springfield, Illinois 62794-9276 Carol Sudman Hearing Officer Illinois Pollution Control Board 1021 North Grand Avenue East P.O. Box 19274 Springfield, Illinois 62794-9274

PLEASE TAKE NOTICE that on February 25, 2004, we filed with the Clerk of the Illinois Pollution Control Board of the State of Illinois an original, executed copy of Limited Waiver of Statutory Deadline for Decision.

Dated: February 25, 2004

Respectfully submitted,

By:

Circle C, Inc. Hrosse

One of Its Attorneys

Carolyn S. Hesse Barnes & Thornburg One North Wacker Drive Suite 4400 Chicago, Illinois 60606 (312) 357-1313 206991v1

[This filing submitted on recycled paper as defined in 35 Ill. Adm. Code 101.202]

CERTIFICATE OF SERVICE

I, on oath state that I have served the attached Limited Waiver of Statutory Deadline for Decision by placing a copy in an envelope addressed to:

John Kim Special Assistant Attorney General Illinois Environmental Protection Agency 1021 North Grand Avenue East P.O. Box 19276 Springfield, Illinois 62794-9276 Carol Sudman Hearing Officer Illinois Pollution Control Board 1021 North Grand Avenue East P.O. Box 19274 Springfield, Illinois 62794-9274

from One North Wacker Drive, Suite 4400, Chicago, Illinois, before the hour of 5:00 p.m., on this 25th Day of February, 2004.

Stepse

Carolyn S. Hesse

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BEFORE THE POLLUTION CONTROL BOARD OF THE STATE OF ILLINOIS

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CIRCLE C, INC.,

Petitioner,

v.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,

PCB 04-131 (UST Appeal)

Respondent.

LIMITED WAIVER OF STATUTORY DEADLINE FOR DECISION

Petitioner, Circle C, Inc., by its attorneys, hereby agrees to waive the deadline imposed by statute upon the Pollution Control Board for decision of the issues herein to July 22, 2004. The current decision deadline is May 20, 2004.

Respectfully submitted,

Circle C, Inc.

Vande By:

One of Its Attorneys

Carolyn S. Hesse, Esq. Barnes & Thornburg One North Wacker Drive Suite 4400 Chicago, Illinois 60606 (312) 357-1313 206478v1

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