

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ETHYL PETROLEUM ADDITIVES, INC., )  
)  
Petitioner, )  
)  
v. ) PCB No. 04-113  
) (CAAPP Permit Appeal)  
ILLINOIS ENVIRONMENTAL )  
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 1021 North Grand Avenue East  
Suite 11-500 Post Office Box 19274  
Chicago, Illinois 60601 Springfield, Illinois 62794-9274  
(VIA FIRST CLASS MAIL) (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 OPEN WAIVER OF 120-DAY DECISION DEADLINE**, copies of which are hereby served upon you.

Respectfully submitted,

ETHYL PETROLEUM ADDITIVES, INC.  
Petitioner,

By:   
N. LaDonna Driver

Dated: February 25, 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**

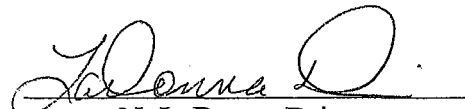
I, N. LaDonna Driver, the undersigned, certify that I have served the attached  
NOTICE OF OPEN WAIVER OF 120-DAY DECISION DEADLINE upon:

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 February 25, 2004.

  
N. LaDonna Driver

FEB 27 2004

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

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ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
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PCB No. 04-113  
(CAAPP Permit Appeal)

**NOTICE OF OPEN WAIVER OF 120-DAY DECISION DEADLINE**

NOW COMES Petitioner, ETHYL PETROLEUM ADDITIVES, INC.

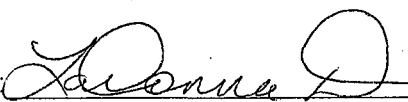
("Petitioner"), by and through its attorneys, HODGE DWYER ZEMAN, pursuant to 35 Ill. Admin. Code § 101.308(c)(1), and hereby agrees to an open waiver of the statutory 120-day decision deadline for final action by the Illinois Pollution Control Board ("Board") in the above-referenced proceeding. In support 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 on December 1, 2003. Pursuant to the Board's Order, dated January 8, 2004, the statutory decision deadline for this matter was May 4, 2004.
2. On January 8, 2004, the Board accepted this matter for hearing.
3. On January 28, 2004, Petitioner filed a Notice of Waiver of 120-Day Decision Deadline for an Additional 40 Days. The current statutory decision deadline is June 13, 2004.
4. Petitioner hereby voluntarily agrees to an open waiver of the statutory 120-day decision deadline in order to conduct settlement negotiations in this matter.

WHEREFORE, Petitioner, ETHYL PETROLEUM ADDITIVES, INC., prays that the Illinois Pollution Control Board accept this open waiver of the statutory 120-day decision deadline 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: February 25, 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/Open Waiver