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**MAY 13 2004**

**STATE OF ILLINOIS  
Pollution Control Board**

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS STATE TOLL HIGHWAY )  
AUTHORITY (Des Plaines Oasis North), )

Petitioner, )

v. )

ILLINOIS ENVIRONMENTAL PROTECTION )  
AGENCY, )

Respondent. )

PCB - 04-177  
(UST Appeal)

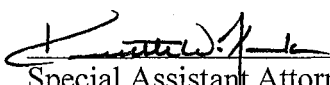
**NOTICE OF FILING AND PROOF OF SERVICE**

TO: Brad Halloran  
Hearing Officer  
Illinois Pollution Control Board  
100 W. Randolph, Suite 11-500  
Chicago, IL 60601

John Kim  
Special Assistant Attorney General  
Illinois Environmental Protection Agency  
P.O. Box 19276  
1021 North Grand Avenue, East  
Springfield, IL 62794-9276

PLEASE TAKE NOTICE that on May 13, 2004, we filed with the Clerk of the Illinois Pollution Control Board the originals and nine (9) copies each, via personal delivery, of Petitioner's Waiver of Statutory Deadline, for filing in the above-entitled cause, copies of which are attached hereto.

The undersigned hereby certifies that true and correct copies of the Notice of Filing, together with copies of the documents described above, were served upon the above-named persons by enclosing same in envelopes addressed to said persons, and by depositing said envelopes in a United States Post Office Mail Box at Chicago, Illinois, with postage fully prepaid, on the 13<sup>th</sup> day of May, 2004.

  
Special Assistant Attorney General,  
Illinois State Toll Highway Authority

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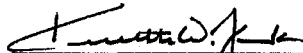
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**WAIVER OF STATUTORY DEADLINE**

Petitioner, Illinois State Toll Highway Authority, by its attorneys Deutsch, Levy & Engel, Chartered, waives generally the statutory deadline in this matter, as described in 415 ILCS 5/40(a)(2), through November 3, 2004

Respectfully submitted,



One of the attorneys for Petitioner,  
Illinois State Toll Highway Authority

Kenneth W. Funk, Esq.  
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