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MAY 18 2004

STATE OF ILLINOIS
Pollution Control Board

BEFORE THE POLLUTION CONTROL BOARD
OF THE STATE OF ILLINOIS

THREE SQUARE FEEDS,)
)
Petitioner,)
)
v.) PCB 04-176
) UST Fund Appeal
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

NOTICE OF FILING

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


PLEASE TAKE NOTICE that on May 18, 2004, filed with the Clerk of the Illinois Pollution Control Board of the State of Illinois an original, executed copy of an Open Waiver of Statutory Deadline for Decision.

Dated: May 18, 2004

Respectfully submitted,

Three Square Feeds

By:


One of Its Attorneys

Carolyn S. Hesse
Barnes & Thornburg LLP
One North Wacker Drive
Suite 4400
Chicago, Illinois 60606
(312) 357-1313
217595v1

[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 Open 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, IL 62794-9274

from One North Wacker Drive, Suite 4400, Chicago, Illinois, before the hour of 5:00 p.m., on this 18th Day of May, 2004.



Carolyn S. Hesse

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 Respondent.)

OPEN WAIVER OF STATUTORY DEADLINE FOR DECISION

Petitioner, Three Square Feeds, by its attorneys, hereby agrees to an open waiver pursuant to 35 Ill. Adm. Code 101.308(c)(1) of the deadline imposed by statute upon the Pollution Control Board for decision of the issues herein.

Respectfully submitted,

Three Square Feeds

By: Carolyn S. Hesse
One of Its Attorneys

Carolyn S. Hesse, Esq.
Barnes & Thornburg LLP
One North Wacker Drive
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