

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
OF THE STATE OF ILLINOIS

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SEP 27 2004

JOHNSON OIL COMPANY, LLC,)
)
Petitioner,)
)
vs.)
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

STATE OF ILLINOIS
Pollution Control Board

PCB No. 04-183
(LUST Appeal)

NOTICE OF FILING

To:

John Kim
Assistant Counsel
Special Assistant Attorney General
Division of Legal Counsel
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

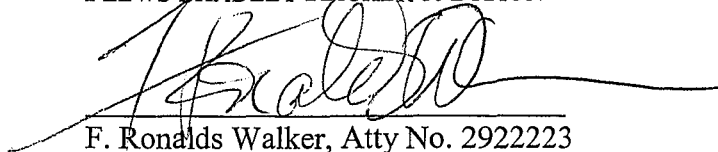
Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street
Suite 11-500
Chicago, Illinois 60601

Carol Sudman, Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
P.O. Box 19274
Springfield, IL 62794-9274

PLEASE TAKE NOTICE that I have today, September 23, 2004, filed with the Clerk of the Illinois Pollution Control Board a FORTY (40) DAY WAIVER OF STATUTORY DECISION DEADLINES, a copy of which is herewith served upon you through United States Mail return receipt requested.

Respectfully Submitted,

PLEWS SHADLEY RACHER & BRAUN



F. Ronalds Walker, Atty No. 2922223
PLEWS SHADLEY RACHER & BRAUN
1346 N. Delaware Street
Indianapolis, Indiana 46202
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**FORTY (40) DAY WAIVER OF
STATUTORY DECISION DEADLINES**

Petitioner, Johnson Oil Company, LLC ("Johnson Oil"), pursuant to 35 Ill. Adm. Code § 101.308 hereby notifies the Illinois Pollution Control Board ("Board") that it waives the Board's statutory decision deadlines for a period of forty (40) days. Johnson Oil further informs the Board that on September 21, 2004 Johnson Oil and the Illinois Environmental Protection Agency ("Agency") participated in a status conference with the Honorable Carol Sudman and that the parties agreed to continue settlement discussions with a status conference scheduled for October 12, 2004, at 10:30 a.m. The parties further agreed that Johnson Oil's response to the Agency's Motion for Reconsideration and to Dismiss and the Agency's filing of the Record with the Board shall not be due until October 19, 2004.

Respectfully Submitted,

PLEWS SHADLEY RACHER & BRAUN


F. Ronalds Walker, Atty No. 2922223

PLEWS SHADLEY RACHER & BRAUN

1346 N. Delaware Street
Indianapolis, Indiana 46202
Ph: (317) 637-0700
Fax: (317) 637-0712

CERTIFICATE OF SERVICE

I, the undersigned attorney at law, hereby certify that on September 23, 2004, I served true and correct copies of the Forty (40) Day Waiver of Statutory Decision Deadlines, by placing true and correct copies in properly sealed and addressed envelopes and by depositing said sealed envelopes in a U.S. mail box with sufficient postage affixed thereto, upon the following named persons:

John Kim
Assistant Counsel
Special Assistant Attorney General
Division of Legal Counsel
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

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