

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
OF THE STATE OF ILLINOIS

RECEIVED
CLERK'S OFFICE

OCT 15 2004

STATE OF ILLINOIS
Pollution Control Board

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

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, October 13, 2004, filed with the Clerk of the Illinois Pollution Control Board a ONE HUNDRED EIGHTY (180) 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
Ph: (317) 637-0700
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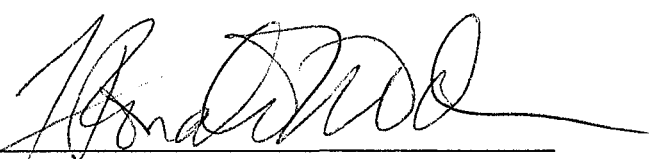
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**ONE HUNDRED EIGHTY (180) DAY
WAIVER OF STATUTORY DECISION DEADLINES**

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 one hundred eighty (180) days, or until April 13, 2005. Johnson Oil further informs the Board that Johnson Oil and the Illinois Environmental Protection Agency ("Agency") have reached a tentative settlement agreement. However, Johnson Oil requests that its Petition for Review remain pending until the settlement is finalized. The parties will file a Stipulation of Dismissal once the settlement is finalized.

Respectfully Submitted,

PLEWS SHADLEY RACHER & BRAUN



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Indianapolis, Indiana 46202
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CERTIFICATE OF SERVICE

I, the undersigned attorney at law, hereby certify that on October 13, 2004, I served true and correct copies of the One Hundred Eighty (180) 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
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P.O. Box 19276
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