BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

DIMUCCI DEVELOPMEN	NT CORPORATION,)	
	Petitioner,)	
V.)	PCB No. 04-209 (UST Appeal)
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,)	(ООТ Арреат)
	Respondent.)	
)	

REQUEST TO WAIVE DECISION DEADLINE FOR 40 DAYS

Now comes the Petitioner, DiMucci Development Corporation ("DiMucci"), by its attorneys, The Jeff Diver Group, L.L.C., pursuant to the Illinois Environmental Protection Act, 415 ILCS 5/1 *et. seq.* (the "Act") and 35 Illinois Administrative Code Section 105.400 *et. seq.*, hereby requests that the Illinois Pollution Control Board ("Board") waive the decision deadline for an additional forty (40) days beyond the current deadline of June 5, 2005. In support thereof, the Petitioner states as follows:

- 1. This petition is timely filed pursuant to 35 III.Adm.Code 101.308.
- 2. The additional time requested may eliminate the need for a hearing in this matter.

Wherefore, DiMucci Development Corporation respectfully requests that the Illinois Pollution Control Board (the "Board") enter an order directing the Agency to waive the decision deadline by an additional forty (40) days.

Respectfully submitted,

DiMucci Development Corporation

s/ Thomas S. Yu

By:

One of its attorneys

Jeffrey R. Diver Thomas S. Yu The Jeff Diver Group, L.L.C. 1749 S. Naperville Road, Suite 102 Wheaton, IL 60187 (630) 681-2530

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	;	<i>)</i> }

NOTICE OF FILING AND PROOF OF SERVICE

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

Bradley P. Halloran Hearing Officer Illinois Pollution Control Board James R. Thompson Center Suite 11-500 100 West Randolph Street Chicago, Illinois 60601 John J. Kim Special Assistant Attorney General Illinois Environmental Protection Agency Division of Legal Counsel 1021 North Grand Avenue East P.O. Box 19276 Springfield, Illinois 62794-9276

PLEASE TAKE NOTICE that on Friday, March 18, 2005, I filed with the Clerk of the Illinois Pollution Control Board of the State of Illinois via electronic filing, a Notice to Waive the Decision Deadline for 40 days, for filing in the above-entitled cause, copies of which are attached hereto.

The undersigned hereby certifies that copies of the Notice of Filing, together with copies of the documents described above were served upon the Respondent, via certified mail, return receipt requested, and by depositing same in the United States Mail on Friday, March 18, 2005

Dated:	March	18	2005	
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Respectfully Submitted,

s/ Thomas S. Yu

By: _____
Thomas S. Yu

The Jeff Diver Group, L.L.C. 1749 S. Naperville Road, Suite 102 Wheaton, IL 60187 (630) 681-2530 Fax (630) 690-2812 tsyu@enviroatty.com