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APR 29 2005

STATE OF ILLINOIS
Pollution Control Board

RED ROOSTER CORPORATION (f/k/a)
CLARK RETAIL ENTERPRISES, INC.))
(CLARK OIL #2086) (December 6, 2004)
IEPA determination),)

Petitioner,)

v.)

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)

Respondent.)

PCB No. 05-125
(UST Appeal)

NOTICE OF FILING

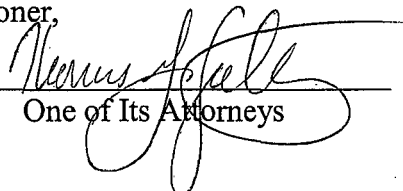
TO: Ms. Dorothy M. Gunn
Clerk of the Board
Illinois Pollution Control Board
100 West Randolph Street
Suite 11-500
Chicago, Illinois 60601
(VIA FIRST CLASS MAIL)

Carol Webb, Esq.
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
Post Office Box 19274
Springfield, Illinois 62794-9274
(VIA FIRST CLASS MAIL)

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board an original and nine copies of Petitioner Red Rooster Corporation f/k/a Clark Retail Enterprises, Inc.'s, **NOTICE OF WAIVER OF 120-DAY DECISION DEADLINE FOR AN ADDITIONAL SIXTY DAYS**, copies of which are hereby served upon you.

Respectfully submitted,

RED ROOSTER CORPORATION f/k/a
CLARK RETAIL ENTERPRISES, INC.,
Petitioner,

By: 
One of Its Attorneys

Dated: April 27, 2005

Edward W. Dwyer
Thomas G. Safley
Kent E. Mohr, Jr.
HODGE DWYER ZEMAN
3150 Roland Avenue
Post Office Box 5776
Springfield, Illinois 62705-5776
(217) 523-4900

CERTIFICATE OF SERVICE

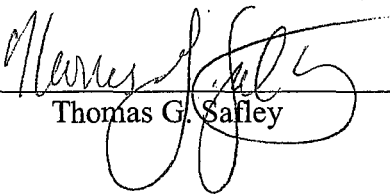
I, Thomas G. Safley, the undersigned, certify that I have served the attached
NOTICE OF WAIVER OF 120-DAY DECISION DEADLINE FOR AN ADDITIONAL
SIXTY DAYS, upon:

Ms. Dorothy M. Gunn
Clerk of the Board
Illinois Pollution Control Board
100 West Randolph Street
Suite 11-500
Chicago, Illinois 60601

Carol Webb, Esq.
Hearing Officer
Illinois Environmental Protection Agency
1021 North Grand Avenue East
Post Office Box 19274
Springfield, Illinois 62794-9274

John J. Kim, Esq.
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276

by depositing said documents in the United States Mail, postage prepaid, in Springfield,
Illinois, on April 27, 2005.


Thomas G. Safley

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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STATE OF ILLINOIS
Pollution Control Board

RED ROOSTER CORPORATION (f/k/a)
 CLARK RETAIL ENTERPRISES, INC.)
 (CLARK OIL #2086) (December 6, 2004)
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 v.)
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 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

PCB No. 05-125
(UST Appeal)

**NOTICE OF WAIVER OF 120-DAY
DECISION DEADLINE FOR AN ADDITIONAL SIXTY DAYS**

NOW COMES Petitioner, RED ROOSTER CORPORATION f/k/a CLARK RETAIL ENTERPRISES, INC. ("Petitioner"), by and through its attorneys, HODGE DWYER ZEMAN, pursuant to 35 Ill. Admin. Code § 101.105(c)(2), and hereby agrees to waive the statutory 120-day decision deadline for final action by the Illinois Pollution Control Board ("Board") in the above-referenced proceeding for an additional 60 days, or until October 3, 2005. In support of this Notice, the Petitioner states as follows:

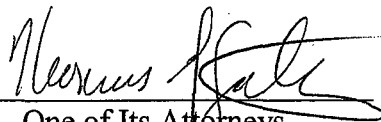
1. On April 14, 2005, Petitioner filed a Petition for Review of the December 6, 2004, determination by the Illinois Environmental Protection Agency ("Illinois EPA"). Pursuant to the Board's Order, dated April 22, 2005, the current statutory decision deadline for this matter is August 4, 2005.

2. Petitioner hereby voluntarily agrees to a waiver of the statutory 120-day decision deadline for an additional 60 days, or until October 3, 2005, in order to conduct discussions with Respondent regarding the resolution of this matter.

WHEREFORE, Petitioner, RED ROOSTER CORPORATION f/k/a CLARK
RETAIL ENTERPRISES, INC., prays that the Illinois Pollution Control Board accept
this waiver of the statutory 120-day decision deadline for an additional 60 days for final
action on Petitioner's Petition for Review of the December 6, 2004 determination issued
to it by the Illinois Environmental Protection Agency, and that the Board award Petitioner
all other relief just and proper in the premises.

Respectfully submitted,

RED ROOSTER CORPORATION f/k/a
CLARK RETAIL ENTERPRISES, INC.
Petitioner,

By: 
One of Its Attorneys

Dated: April 27, 2005

Edward W. Dwyer
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Kent E. Mohr, Jr.
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Springfield, Illinois 62705-5776
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RRCO:001/Fil/Notice of Waiver