

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

DiMUCCI DEVELOPMENT CORPORATION,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB No. 04-209
	)	(UST Appeal)
ILLINOIS ENVIRONMENTAL PROTECTION	)	
AGENCY,	)	
	)	
Respondent.	)	
	)	
	)	

**REQUEST TO WAIVE DECISION DEADLINE FOR 60 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 sixty (60) days beyond the current deadline of August 14, 2005. In support thereof, the Petitioner states as follows:

1. This petition is timely filed pursuant to 35 Ill.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 sixty (60) days.

Respectfully submitted,  
  
DiMucci Development Corporation  
  
**s/ Thomas S. Yu**  
By: \_\_\_\_\_  
          One of its attorneys

ELECTRONIC FILING, RECEIVED, CLERK'S OFFICE, MAY 16, 2005

Thomas S. Yu  
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Respondent.	)	
	)	
	)	

**NOTICE OF FILING AND PROOF OF SERVICE**

Dorothy Gunn  
Clerk of the Board  
Illinois Pollution Control Board  
James R. Thompson Center  
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100 West Randolph Street  
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**PLEASE TAKE NOTICE** that on Monday, May 16, 2005, I filed with the Clerk of the Illinois Pollution Control Board of the State of Illinois via electronic filing, a **Request to Waive the Decision Deadline for 60 Days**, for filing in the above-entitled cause, copies of which are attached hereto.

The undersigned hereby certifies that on Monday, May 16, 2005, copies of the Notice of Filing, together with copies of the documents described above were served upon the Hearing Officer via facsimile, and served upon the Respondent, via certified mail, return receipt requested, and by depositing same in the United States Mail on Monday, May 16, 2005.

ELECTRONIC FILING, RECEIVED, CLERK'S OFFICE, MAY 16, 2005

Dated: May 16, 2005

Respectfully Submitted,

**s/ Thomas S. Yu**

By: \_\_\_\_\_  
Thomas S. Yu

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