

BEFORE THE POLLUTION CONTROL BOARD
OF THE STATE OF ILLINOIS

RECEIVED
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OCT 28 2005

STATE OF ILLINOIS
Pollution Control Board

KNAPP OIL COMPANY,)	
DON'S 66,)	
)	
Petitioner,)	
)	
v.)	PCB 06-52
)	(UST Appeal)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

NOTICE OF FILING

TO:	John Kim	Carol Webb
	Special Assistant Attorney General	Hearing Officer
	Illinois Environmental Protection Agency	Illinois Pollution Control Board
	1021 North Grand Avenue East	1021 North Grand Avenue East
	P.O. Box 19276	P.O. Box 19274
	Springfield, Illinois 62794-9276	Springfield, Illinois 62794-9274

PLEASE TAKE NOTICE that on October 28, 2005, filed with the Clerk of the Illinois Pollution Control Board of the State of Illinois an original, executed copy of an Open Waiver of Statutory Deadline for Decision.

Dated: October 28, 2005

Respectfully submitted,

Knapp Oil Company / Don's 66

By: Carolyn S Hesse
One of Its Attorneys

Carolyn S. Hesse
Barnes & Thornburg LLP
One North Wacker Drive
Suite 4400
Chicago, Illinois 60606
(312) 357-1313
302103v1

[This filing submitted on recycled paper as defined in 35 Ill. Adm. Code 101.202]


CERTIFICATE OF SERVICE

I, on oath state that I have served the attached Open Waiver of Statutory Deadline for Decision by placing a copy in an envelope addressed to:

John Kim
Special Assistant Attorney General
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

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

from One North Wacker Drive, Suite 4400, Chicago, Illinois, before the hour of 5:00 p.m., on this 28th Day of October, 2005.



Carolyn S. Hesse

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OPEN WAIVER OF STATUTORY DEADLINE FOR DECISION

Petitioner, Knapp Oil Company, Don's 66, by its attorneys, hereby agrees to an Open Waiver Pursuant to 35 Ill. Admin. Code 101.308(c)(1) of the deadline imposed by statute upon the Pollution Control Board for decision of the issues herein.

Dated: October 28, 2005

Respectfully submitted,

Knapp Oil Company / Don's 66

By: Carolyn S Hesse
One of Its Attorneys

Carolyn S. Hesse, Esq.
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Chicago, Illinois 60606
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