

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

RECEIVED  
CLERK'S OFFICE

JUN 05 2009

STATE OF ILLINOIS  
Pollution Control Board

S&D REALTY, INC., )  
Petitioner, )  
 )  
v. )  
ILLINOIS ENVIRONMENTAL PROTECTION )  
AGENCY, )  
Respondent. )

PCB 09-33  
(LUST Appeal)

ORIGINAL

NOTICE OF FILING AND PROOF OF SERVICE

TO: Pollution Control Board, Attn: Clerk  
100 West Randolph Street  
James R. Thompson Center, Suite 11-500  
Chicago, Illinois 60601

James G. Richardson  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276

Bradley P. Halloran  
Hearing Officer  
Illinois Pollution Control Board  
James R. Thompson Center, Suite 11-500  
100 W. Randolph Street  
Chicago, Illinois 60601

PLEASE TAKE NOTICE that on this day, June 3, 2009, we filed with the office of the Clerk of the Illinois Pollution Control Board an original and nine copies each of Petitioner's Waiver of Deadline for Decision and an Entry of Appearance, copies of which are enclosed herewith and hereby served upon you.

The undersigned hereby certifies that a true and correct copy of this Notice of Filing, together with copies of the documents described above, were today served upon the hearing officer and counsel of record of all parties to this cause by enclosing same in envelopes addressed to such attorneys at their business addresses as disclosed by the pleadings of record herein, with postage fully prepaid, and by depositing same in the U.S. Mail in Worth, Illinois on June 3, 2009.

S&D Realty Inc.

By: Michael Abel  
One of its Attorneys

Edward Cohen  
Michael Abel  
Law Offices of Cohen and Hussien, P.C.  
Attorney Number: 39565  
Attorneys for Petitioner  
6901 W. 111<sup>th</sup> Street  
Worth, Illinois 60482  
(708) 361-3030

THIS FILING SUBMITTED ON RECYCLED PAPER

9/3/09 7720  
- 1/11/2010

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ENTRY OF APPEARANCE

NOW COMES the Law Offices of Cohen & Hussien, P.C. and its attorneys, Edward Cohen and Michael Abel, and hereby enter their appearance on behalf of Petitioner, S&D REALTY, INC., in the above-referenced case.

Respectfully Submitted,

S&D REALTY, INC.

By: Michael Abel  
One of its Attorneys

Dated: June 3, 2009

Edward Cohen  
Michael Abel  
Law Offices of Cohen and Hussien, P.C.  
Attorney Number: 39565  
Attorneys for Petitioner  
6901 W. 111th Street  
Worth, Illinois 60482  
(708) 361-3030

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WAIVER OF DEADLINE FOR DECISION

NOW COMES the Petitioner, S&D REALTY, INC., by and through its attorneys, the Law Offices of Cohen & Hussien, P.C., and pursuant to Section 101.308(c)(2) of the Board's Procedural Rules, 35 Ill. Adm. 101.308(c)(2), hereby waives the statutory deadline for Board action in the above-captioned manner for 120 days.

Dated: June 3, 2009

S&D Realty Inc.

By: Michael Abel  
One of its Attorneys

Edward Cohen  
Michael Abel  
Law Offices of Cohen and Hussien, P.C.  
Attorney Number: 39565  
Attorneys for Petitioner  
6901 W. 111<sup>th</sup> Street  
Worth, Illinois 60482  
(708) 361-3030



LAW OFFICES OF  
**COHEN & HUSSIEN**  
A PROFESSIONAL CORPORATION

6901 W. 111<sup>th</sup> Street, Worth, IL 60482  
Phone 708.361.3030 ♦ Fax 708.361.4207  
attorneys@cohenandhussien.com

June 3, 2009

Edward A. Cohen  
Sana'a Hussien  
Michael L. Abel  
  
PARALEGALS  
Maisoun N. Farhoud  
Linda C. Moles

Pollution Control Board, Attn: Clerk  
100 West Randolph Street  
James R. Thompson Center, Suite 11-500  
Chicago, Illinois 60601

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JUN 05 2009

STATE OF ILLINOIS  
Pollution Control Board

RE: S&D Realty, Inc. v. Illinois Environmental Protection Agency  
PCB 09-33

Dear Clerk:

Enclosed, please find an original and nine copies each of Petitioner's Waiver of Deadline for Decision, an Entry of Appearance, and a Notice of Filing, pursuant to 35 Ill. Adm. Code 101.302.

In addition, please find an extra copy of Petitioner's Waiver of Deadline for Decision, an Entry of Appearance, and a Notice of Filing along with an addressed, postage-paid envelope. Please file-stamp the extra copy of the Waiver of Deadline for Decision, the Entry of Appearance, and Notice of Filing, place in the enclosed envelope, and mail it back to us via first-class U.S. Mail.

Should you have any questions, please feel free to contact me.

Sincerely,

Michael Abel  
MLA/as

Enclosures:

ORIGINAL