BEFORE THE ILLINOIS POLLUTION CONTROL BOARD RECEIVED

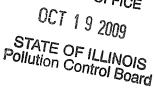
JOHN D. HUFFMAN, d/b/a Huffman's Service,

Petitioner,

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,

v.

PCB No. 09-28 (LUST Permit Appeal)



Respondent

NOTICE OF FILING AND PROOF OF SERVICE

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TO: John T. Therriault, Clerk

Carol Webb Illinois Pollution Control Board Hearing Officer 100 West Randolph Street Illinois Pollution Control Board State of Illinois Building, Suite 11-500 1021 N. Grand Avenue East Chicago, IL 60601 P.O. Box 19274

Melanie A. Jarvis Division of Legal Counsel Illinois Environmental Protection Agency 1021 North Grand Avenue East P.O. Box 19276 Springfield, IL 62794-9276

Springfield, IL 62794-9274

PLEASE TAKE NOTICE that I have today filed electronically with the Office of the Illinois Pollution Control Board, pursuant to Board Procedural Rule 101.302 (d), a Waiver of Deadline for Decision, a copy of which is herewith served upon the hearing officer and upon the attorney of record in this cause.

The undersigned hereby certifies that a true and correct copy of this Notice of Filing, together with a copy of the document 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 Springfield, Illinois on the 19th day of October, 2009.

Respectfully submitted,

JOHN D. HUFFMAN, d/b/a Huffman's Service, Petitioner,

By: MOHAN, ALEWELT, PRILLAMAN & ADAMI

By: /s/ Patrick D. Shaw

Patrick D. Shaw

MOHAN, ALEWELT, PRILLAMAN & ADAMI 1 N. Old Capitol Plaza, Suite 325 Springfield, IL 62701-1323 Tel: (217) 528-2517

Fax: (217) 528-2553

THIS FILING SUBMITTED ON RECYCLED PAPER

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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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WAIVER OF DEADLINE FOR DECISION

NOW COMES Petitioner, JOHN D. HUFFMAN, dba Huffman's Service, by its undersigned

attorney, pursuant to Section 101.308(c)(1) of the Board's Procedural Rules, 35 Ill. Adm. Code

101.308(c)(1), hereby waives its right to a decision within 180 days of filing, as provided in Section

40(a)(2) of the Illinois Environmental Protection Act (415 ILCS 5/40(a)(2)), provided that such final

action be taken by February 18, 2010.

Respectfully submitted,

JOHN D. HUFFMAN, dba Huffman's Service, Petitioner,

By: MOHAN, ALEWELT, PRILLAMAN & ADAMI

By: <u>/s/ Patrick D. Shaw</u>

Patrick D. Shaw

Patrick D. Shaw MOHAN, ALEWELT, PRILLAMAN & ADAMI 1 N. Old Capitol Plaza, Suite 325 Springfield, IL 62701-1323 Tel: (217) 528-2517 Fax: (217) 528-2553 WordanWAPA\Huffman's Service\Waiver of Decision Deadline6.wpd