BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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Pollution Control Board

STATE OF IL

BUGAIESKI OIL COMPANY,	
Petitioner,	

v.

ILLINOIS ENVIRONMENTAL **PROTECTION AGENCY**, Respondent. PCB No. 09-49 (LUST Permit Appeal)

DORIGINAL

NOTICE OF FILING AND PROOF OF SERVICE

To: John T. Therriault, Clerk Illinois Pollution Control Board 100 West Randolph Street State of Illinois Building, Suite 11-500 Chicago, IL 60601

Carol Webb Hearing Officer **Illinois Pollution Control Board** 1021 North Grand Avenue East PO Box 19274 Springfield, IL 62794-9274

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

PLEASE TAKE NOTICE that I have today electronically filed with the Office of the Clerk 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 Illinois Environmental Protection Agency.

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 pleading of record herein, with postage fully prepaid, and by depositing same in the U.S. Mail in Springfield, Illinois on the 21st day of June, 2010.

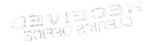
> Respectfully submitted, BUGAIESKI OIL COMPANY,

BY: MOHAN, ALEWELT, PRILLAMAN & ADAMI

/s/ Patrick D. Shaw By:

Patrick D. Shaw

MOHAN, ALEWELT, PRILLAMAN & ADAMI 1 North Old Capitol Plaza, Suite 325 Springfield, IL 62701-1323 Telephone: 217/528-2517 Facsimile: 217/528-2553



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Petitioner,)
v .)
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

PCB No. 09-49 (UST Appeal)

WAIVER OF DEADLINE FOR DECISION

NOW COMES Petitioner, BUGAIESKI OIL COMPANY, by its undersigned attorneys,

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 December 16, 2010.

Respectfully submitted,

BUGAIESKI OIL COMPANY, Petitioner,

By: MOHAN, ALEWELT, PRILLAMAN & ADAMI

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

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THIS FILING SUBMITTED ON RECYCLED PAPER