BEFORE THE POLLUTION CONTROL BOARD OF THE STATE OF ILLINOIS

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DEC 1 4 2010 STATE OF ILLINOIS Pollution Control Board

WHEELING/GWA AUTO SHOP,

Petitioner,

v.

PCB No. 10-070 (LUST Appeal)

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,

Respondent.)

NOTICE OF FILING

TO: See Attached Service List

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board, the WAIVER OF DEADLINE FOR DECISION, a copy of which is herewith served upon you.

JASON A SINGER AT Y

CERTIFICATE OF SERVICE

I, JASON A. GUISINGER, certify that I served the foregoing Notice of Filing and **WAIVER OF DEADLINE FOR DECISION** upon the parties listed on the attached Service List, by the means listed on the attached Service List, before 4:30 p.m. on December 14, 2010.

JASON **ZUISINGER**

Dennis G. Walsh Jason A. Guisinger KLEIN, THORPE AND JENKINS, LTD. 20 North Wacker Drive, Suite 1660 Chicago, IL 60606 (312) 984-6400

SERVICE LIST

VIA HAND DELIVERY

Pollution Control Board Attn: John Therriault, Clerk 100 West Randolph Street James R. Thompson Center, Suite 11-500 Chicago, Illinois 60601-3218

VIA FIRST CLASS MAIL

Illinois Environmental Protection Agency, Bureau of Land Attn: Michael Piggush 1021 North Grand Avenue East P.O. Box 19276 Springfield, IL 62794-9276

VIA FIRST CLASS MAIL

Division of Legal Counsel Illinois Environmental Protection Agency Attn: Melanie A. Jarvis, Ass't Counsel 1021 North Grand Avenue East P. O. Box 19276 Springfield, IL 62794-9276

VIA FIRST CLASS MAIL

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

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CLERK'S OFFICE

DEC 1 4 2010

STATE OF ILLINOIS

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WHEELING/GWA AUTO SHOP,

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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, PCB No. 10-070 (LUST Appeal)

WAIVER OF DEADLINE FOR DECISION

Respondent.)

NOW COMES Petitioner, Village of Wheeling ("Village"), by counsel, KLEIN, THORPE & JENKINS, LTD., and pursuant to Sections 101.308(c)(1) of the Board's Procedural Rules, 3 Ill. Adm. 101.308(c)(1), hereby waives for an additional ninety (90) days, the statutory decision deadline relating to its Petition for Review.

Respectfully submitted,

VILLAGE OF WHEELING

By: One of its attorneys

Dennis G. Walsh Jason A. Guisinger KLEIN, THORPE AND JENKINS, LTD. 20 North Wacker Drive, Suite 1660 Chicago, IL 60606 (312) 984-6400