

BEFORE THE POLLUTION CONTROL BOARD
OF THE STATE OF ILLINOIS

KB SULLIVAN, INC.,)
Petitioner,)
v.) PCB 12-105
) (UST Appeal)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
Respondent.)

NOTICE OF FILING AND PROOF OF SERVICE

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
Springfield, IL 62794-9274

Melanie Jarvis
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 Decision Deadline, a copy of which is herewith served upon the hearing officer and upon the attorneys 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 and to said hearing officer with postage fully prepaid, and by depositing said envelopes in a U.S. Post Office mailbox in Springfield, Illinois on the 3rd day of February, 2012.

Respectfully submitted,
KB SULLIVAN, INC., Petitioner

BY: MOHAN, ALEWELT, PRILLAMAN & ADAMI

BY: /s/ Patrick D. Shaw

MOHAN, ALEWELT, PRILLAMAN & ADAMI
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WAIVER OF DEADLINE FOR DECISION

NOW COMES Petitioner, KB Sullivan, Inc., 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 August 23, 2012.

Respectfully submitted,
KB SULLIVAN, INC., Petitioner,

By: MOHAN, ALEWELT, PRILLAMAN & ADAMI

By: /s/ Patrick D. Shaw

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C:\Mapa\CW3M\KB Sullivan\Waiver 12-105 Dec Deadline 8-23-12.wpd/lck 2/3/12 10:22 am

THIS FILING SUBMITTED ON RECYCLED PAPER