ILLINOIS POLLUTION CONTROL BOARD

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> JUN 2 2003

STATE OF ILLINOIS Pollution Control Board

CITY OF FREEPORT Petitioner,

vs.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

Respondent.

SUPPLEMENTAL WAIVER OF DECISION DEADLINE

NOW COMES the Petitioner CITY OF FREEPORT, by and through its attorneys, HINSHAW & CULBERTSON, and hereby waives the decision deadline presently set in the above matter and extends the same for an additional 180 days under the time certain waiver regulations of the Board.

Dated: May 29, 2003

Respectfully Submitted,

PCB 98-108

(Permit Appeal – Land)

On behalf of the CITY OF FREEPORT

By: HINSHAW & CULBERTSON

Charles F. Helsten

One of Its Attorneys

HINSHAW & CULBERTSON 100 Park Avenue P.O. Box 1389 Rockford, IL 61105-1389 815-963-8488

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AFFIDAVIT OF SERVICE

The undersigned, pursuant to the provisions of Section 1-109 of the Illinois Code of Civil Procedure, hereby under penalty of perjury under the laws of the United States of America, certifies that on May 29, 2003, a copy of the foregoing was served upon:

Carol Sudman
Hearing Officer
Illinois Pollution Control Board
600 S. Second Street, Suite 402
Springfield, IL 62704

Daniel P. Merriman
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Dorothy M. Gunn
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph St., Ste. 11-500
Chicago, IL 60601

By depositing a copy thereof, enclosed in an envelope in the United States Mail at Chicago, Illinois, proper postage prepaid, before the hour of 5:00 P.M., addressed as above.

HINSHAW & CULBERTSON 100 Park Avenue P.O. Box 1389 Rockford, IL 61105 (815) 963-8488