

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

RECEIVED
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KNOX COLLEGE,)
Petitioner,)
)
vs.)
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
Respondent.)

PCB 03-65

MAY 27 2003

STATE OF ILLINOIS
(UST Program Appeal) *Pollution Control Board*

NOTICE OF FILING

TO:

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center
100 West Randolph, Suite 11-500
Chicago, IL 60601-3218

John K. Kim, Assistant Counsel
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East, P. O. Box 19276
Springfield, IL 62794-9276

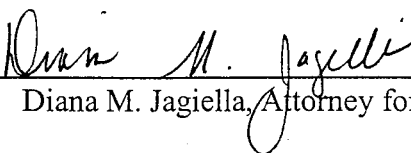
Hon. Carol Sudman
Hearing Officer
Illinois Pollution Control Board
600 S. Second Street, Suite 402
Springfield, IL 62704

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board an original and nine (9) copies of Waiver of Statutory Decision Deadline, a copy of which is herewith served upon you.

Dated: May 23, 2003

Respectfully submitted,

KNOX COLLEGE

By: 
Diana M. Jagiella, Attorney for Petitioner

Diana M. Jagiella
Howard & Howard Attorneys, P.C.
One Technology Plaza, Suite 600
211 Fulton Street
Peoria, IL 61602-1350
(309) 672-1483

THIS FILING IS SUBMITTED ON RECYCLED PAPER

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STATE OF ILLINOIS
Pollution Control Board

WAIVER OF STATUTORY DECISION DEADLINE

NOW COMES the Petitioner, KNOX COLLEGE, pursuant to 35 Ill. Admin. Code §101.308(c)(2) and waives the statutory deadline for final Board decision in this permit appeal proceeding as specified in Section 40 of the Illinois Environmental Protection Act, 415 ILCS 5/40 (the "Act"). In support of its waiver, Petitioner states:

1. On February 4, 2003, Knox College filed a Petition for Review of Underground Storage Tank Fund Reimbursement in response to the Illinois Environmental Protection Agency's October 1, 2002 denial determination in connection with LUST Incident No. 961753. On February 21, 2003, the Board issued an Order accepting the Petition for hearing.

2. Petitioner and Respondent have undertaken discussions to explore the possibility of settlement. If this matter can be resolved by negotiation, the expenditure of time and resources associated with proceeding to hearing and final Board decision will be avoided.

3. To allow sufficient time for the parties to continue settlement discussions, Petitioner waives the current statutory decision deadline and requests a 60-day extension to October 3, 2003 for the Board's decision in this proceeding.

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CERTIFICATE OF SERVICE

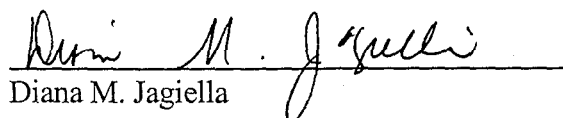
I, the undersigned, hereby certify that on this 23rd day of May, 2003, I have served the attached Waiver of Statutory Decision Deadline, by depositing same via First Class, U.S. Mail, with proper postage prepaid, upon the following persons:

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center
100 West Randolph, Suite 11-500
Chicago, IL 60601-3218

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Diana M. Jagiella