

BEFORE THE POLLUTION CONTROL BOARD  
OF THE STATE OF ILLINOIS

RECEIVED  
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AUG 6 2003

STATE OF ILLINOIS  
Pollution Control Board

JIM'S SHELL & MARINE, )  
 )  
Petitioner, )  
 )  
v. ) PCB 03-193  
 )  
ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, ) (UST Appeal)  
 )  
Respondent. )

NOTICE OF FILING

TO: John Kim Carol Sudman  
Special Assistant Attorney General Hearing Officer  
Illinois Environmental Protection Agency Illinois Pollution Control Board  
1021 North Grand Avenue East 1021 North Grand Avenue East  
P.O. Box 19276 P.O. Box 19276  
Springfield, Illinois 62794-9276 Springfield, Illinois 62794-9276

PLEASE TAKE NOTICE that on the **Wednesday, August 6, 2003**, filed with the Clerk of the Illinois Pollution Control Board of the State of Illinois an original, executed copy of an Open Waiver of Statutory Deadline for Decision.

Dated: August 6, 2003

Respectfully submitted,

**Jim's Shell & Marine**

By:

Carolyn S. Hesse  
One of Its Attorneys

Carolyn S. Hesse  
**Barnes & Thornburg**  
One North Wacker Drive  
Suite 4400  
Chicago, Illinois 60606  
(312) 357-1313  
178466v1


**CERTIFICATE OF SERVICE**

I, on oath state that I have served the attached Open Waiver of Statutory Deadline for Decision by placing a copy in an envelope addressed to:

John Kim  
Special Assistant Attorney General  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276

Carol Sudman  
Hearing Officer  
Illinois Pollution Control Board  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276

from One North Wacker Drive, Suite 4400, Chicago, Illinois, before the hour of 5:00 p.m., on this 6<sup>th</sup> Day of August, 2003.

  
\_\_\_\_\_  
Carolyn S. Hesse

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**OPEN WAIVER OF STATUTORY DEADLINE FOR DECISION**

Petitioner, Jim's Shell & Marine, by its attorneys, hereby agrees to an open Waiver Pursuant to 35 Ill. Admin. Code 101.308(c)(1) of the deadline imposed by statute upon the Pollution Control Board for decision of the issues herein.

Dated: August 6, 2003

Respectfully submitted,

**Jim's Shell & Marine**

By:

Carolyn S. Hesse  
One of Its Attorneys

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