

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD **RECEIVED**  
CLERK'S OFFICE

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

JUL 31 2003

PCB 03-65

STATE OF ILLINOIS  
Pollution Control Board

(UST Program Appeal)

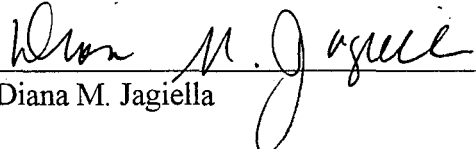
**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that on this 29th day of July, 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

John J. 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

  
Diana M. Jagiella

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

**HOWARD & HOWARD ATTORNEYS, P.C.**

By:   
Diana M. Jagiella, Attorney for Petitioner,  
Knox College

Dated: July 29, 2003

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

***THIS FILING IS SUBMITTED ON RECYCLED PAPER***

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Pollution Control Board  
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JUL 31 2003

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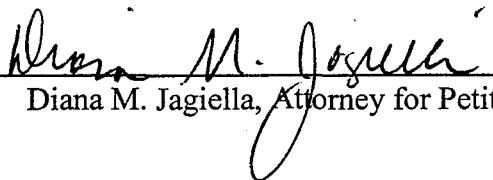
Hon. Carol Sudman  
Hearing Officer  
Illinois Pollution Control Board  
600 S. Second Street, Suite 402  
Springfield, IL 62704

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: July 29, 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

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