

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

LINCOLN LAND FS, INC.,)
)
Petitioner,)
)
v.)
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

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FEB 10 2004

STATE OF ILLINOIS
Pollution Control Board

PCB 04-5
(UST Appeal)

NOTICE OF FILING AND PROOF OF SERVICE

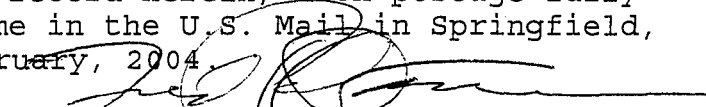
TO: Dorothy Gunn, Clerk
Illinois Pollution Control Board
100 West Randolph Street
State of Illinois Building, Suite 11-500
Chicago, IL 60601

Carol Sudman
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
P.O. Box 19274
Springfield, IL 62794-9274

John Kim
Division of Legal Counsel
Illinois Environmental
Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
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PLEASE BE ADVISED THAT we are today filing with the Pollution Control Board the original and nine copies of Fifth Waiver of Deadline for Decision, a copy of which is attached hereto.

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 via facsimile transmission and upon the hearing officer and counsel of record of all parties to this cause by enclosing same in envelopes addressed to such attorneys at their business addresses as disclosed by the pleadings of record herein, with postage fully prepaid, and by depositing same in the U.S. Mail in Springfield, Illinois on the 5th day of February, 2004.


Fred C. Prillaman

MOHAN, ALEWELT, PRILLAMAN & ADAMI
1 North Old Capitol Plaza, Suite 325
Springfield, IL 62701

(217) 528-2517 c:\MAPA\CDAVIS\Lincoln Land FS\Fifth Waiver.wpd sew 2/5/04

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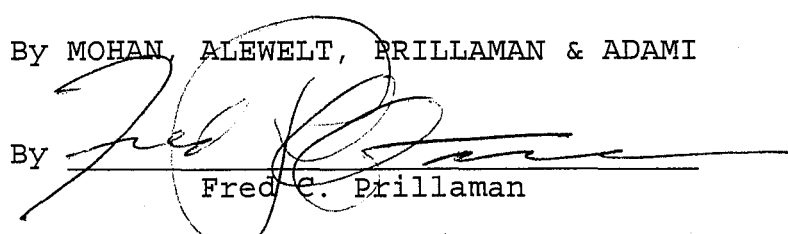
FIFTH WAIVER OF DEADLINE FOR DECISION

NOW COMES Petitioner, LINCOLN LAND FS, INC., by its undersigned attorneys, and files this waiver of deadline pursuant to Section 101.308(c)(1) of the Board's Procedural Rules, 35 Ill. Adm. 101.308(c)(1) hereby waiving its right to a decision within 120 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 the Board on or before August 5, 2004.

Respectfully submitted,

LINCOLN LAND FS, INC.,
Petitioner

By MOHAN, ALEWELT, PRILLAMAN & ADAMI

By 
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