### RECEIVED BEFORE THE POLLUTION CONTROL BOARD CLERK'S OFFICE OF THE STATE OF ILLINOIS JUL 2 5 2003 SWEARINGIN AMOCO, STATE OF ILLINOIS Petitioner, Pollution Control Board PCB 03-156, PCB 03-157 v. PCB 03-158 ILLINOIS ENVIRONMENTAL (UST Appeal) (Consolidated) PROTECTION AGENCY, Respondent. **NOTICE OF FILING** TO: John Kim Dorothy Gunn Special Assistant Attorney General Clerk of the Board Illinois Environmental Protection Agency Illinois Pollution Control Board 1021 North Grand Avenue East James R. Thompson Center

**PLEASE TAKE NOTICE** that on July 25, 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: July 25, 2003.

P.O. Box 19276

Springfield, Illinois 62794-9276

Respectfully submitted,

Suite 11-500

100 West Randolph Street Chicago, Illinois 60601

Swearingin Amoco

By:

One of Its Attorneys

Carolyn S. Hesse

Barnes & Thornburg

One North Wacker Drive
Suite 4400

Chicago, Illinois 60606
(312) 357-1313
176712v1

## **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:

## U.S. MAIL

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

## **HAND DELIVERY**

Dorothy Gunn
Clerk of the Board
Illinois Pollution Control Board
James R. Thompson Center
Suite 11-500
100 West Randolph Street
Chicago, Illinois 60601

from One North Wacker Drive, Suite 4400, Chicago, Illinois, before the hour of 5:00 p.m., on this 25<sup>th</sup> Day of July, 2003.

Carolyn S. Hesse

#### BEFORE THE POLLUTION CONTROL BOARD RECEIVED CLERK'S OFFICE OF THE STATE OF ILLINOIS

) JUL 2 5 2003
) STATE OF ILLINOIS ) Pollution Control Board
) PCB 03-156, PCB 03-157
) PCB 03-158
) (UST Appeal)
) (Consolidated)
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## OPEN WAIVER OF STATUTORY DEADLINE FOR DECISION

Petitioner, Swearingin Amoco, 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: July 25, 2003

Respectfully submitted,

Swearingin Amoco

By: One of Its Attorneys

Carolyn S. Hesse, Esq. Barnes & Thornburg One North Wacker Drive **Suite 4400** Chicago, Illinois 60606 (312) 357-1313 176709v1