

**.BEFORE THE POLLUTION CONTROL BOARD
OF THE STATE OF ILLINOIS**

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MAR 23 2004

STATE OF ILLINOIS
Pollution Control Board

HANNEL OIL COMPANY,)
)
Petitioner,)
) PCB 03-24, PCB 03-25
v.) PCB 04-158
) UST Fund Appeal
ILLINOIS ENVIRONMENTAL) (Consolidated)
PROTECTION AGENCY,)
)
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 19274
Springfield, Illinois 62794-9276 Springfield, Illinois 62794-9274

PLEASE TAKE NOTICE that on March 23, 2004, 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: March 23, 2004

Respectfully submitted,

Hannel Oil Company

By: Carolyn S. Hesse
One of Its Attorneys

Carolyn S. Hesse
Barnes & Thornburg LLP
One North Wacker Drive
Suite 4400
Chicago, Illinois 60606
(312) 357-1313
176732v1


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 19274
Springfield, Illinois 62794-9274

from One North Wacker Drive, Suite 4400, Chicago, Illinois, before the hour of 5:00 p.m., on this 23rd Day of March, 2004.


Carolyn S. Hesse

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OPEN WAIVER OF STATUTORY DEADLINE FOR DECISION

Petitioner, Hannel Oil Company, by its attorneys, hereby agrees to an open waiver pursuant to 35 Ill. Adm. Code 101.308(c)(1) of the deadline imposed by statute upon the Pollution Control Board for decision of the issues herein. The current decision deadline for PCB 04-158 is July 8, 2004. Open waivers have already been filed in PCB 03-24 and 03-25.

Dated: March 23, 2004

Respectfully submitted,

Hannel Oil Company

By: Carolyn S. Hesse
One of Its Attorneys

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