

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

JUL 23 2004

| AUTHORITY, STATE TOLL HIGHWAY Output Output | TE OF ILLINOIS ion Control Board |
|--|-------------------------------------|
| Petitioner,) PCB - 03-1 (UST Fund Appeal) | |
| v.) | |
| ILLINOIS ENVIRONMENTAL PROTECTION) AGENCY,) | |
|) | |
| Respondent. | |

NOTICE OF FILING AND PROOF OF SERVICE

TO:

Carol Sudman Hearing Officer Illinois Pollution Control Board 1021 North Grand Avenue East Springfield, Illinois 62794 John Kim

Special Assistant Attorney General Illinois Environmental Protection Agency

P.O. Box 19276

1021 North Grand Avenue, East Springfield, IL 62794-9276

PLEASE TAKE NOTICE that on July 23, 2004, we filed with the Clerk of the Illinois Pollution Control Board the originals and nine (9) copies each, via personal delivery, of Petitioner's Waiver of Statutory Deadline, for filing in the above-entitled cause, a copy of which is attached hereto.

The undersigned hereby certifies that true and correct copies of the Notice of Filing, together with copies of the documents described above, were served upon the above-named persons by enclosing same in envelopes addressed to said persons, and by depositing said envelopes in a United States Post Office Mail Box at Chicago, Illinois, with postage fully prepaid, on the 23rd day of July, 2004.

Special Assistant Attorney General, Illinois State Toll Highway Authority

Kenneth W. Funk, Esq. Karen Kavanagh Mack, Esq. Special Assistant Attorney Generals Deutsch, Levy & Engel, Chartered 225 W. Washington Street-#1700 Chicago, IL 60606 (312) 346-1460

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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

| ILLINOIS STATE TOLL HIGHWAY AUTHORITY, (East-West Tollway (I-88), Mile Post 109), | JUL 2 3 2004) STATE OF ILLINOIS Pollution Control Board |
|---|--|
| Petitioner, |) PCB - 03-1) (UST Fund Appeal) |
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| ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, |)) *) |
| Respondent. |)) |

WAIVER OF STATUTORY DEADLINE

Petitioner, Illinois State Toll Highway Authority, by its attorneys Deutsch, Levy & Engel, Chartered, waives generally the statutory deadline in this matter, as described in 415 ILCS 5/40(a)(2), through and including February 7, 2005.

Respectfully submitted,

One of the attorneys for Petitioner, Illinois State Toll Highway Authority

Kenneth W. Funk, Esq. Karen Kavanagh Mack, Esq. Special Assistant Attorney Generals Deutsch, Levy & Engel, Chartered 225 W. Washington Street-#1700 Chicago, IL 60606 (312) 346-1460

THIS FILING IS SUBMITTED ON RECYCLED PAPER