

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
OF THE STATE OF ILLINOIS

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FEB 02 2005

JOHNSON OIL COMPANY, LLC,

Petitioner,

vs.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Respondent.

STATE OF ILLINOIS
Pollution Control Board
PCB No. 04-190
(LUST Appeal)

NOTICE OF FILING

To:

John Kim
Assistant Counsel
Special Assistant Attorney General
Division of Legal Counsel
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

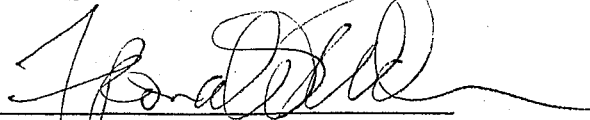
Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street
Suite 11-500
Chicago, Illinois 60601

Bradley P. Halloran, Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street
Suite 11-500
Chicago, Illinois 60601

PLEASE TAKE NOTICE that I have today, January 26, 2005, filed with the Clerk of the Illinois Pollution Control Board a SECOND WAIVER OF STATUTORY DECISION DEADLINES FOR ONE HUNDRED EIGHTY (180) DAYS, a copy of which is herewith served upon you through United States Mail return receipt requested.

Respectfully Submitted,

PLEWS SHADLEY RACHER & BRAUN



F. Ronald Walker, Atty No. 2922223

PLEWS SHADLEY RACHER & BRAUN

1346 N. Delaware Street

Indianapolis, Indiana 46202

Ph: (317) 637-0700

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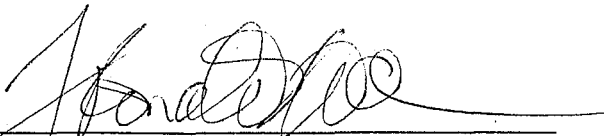
PCB No. 04-190
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**SECOND WAIVER OF STATUTORY DECISION
DEADLINES FOR ONE HUNDRED EIGHTY (180) DAYS**

Petitioner, Johnson Oil Company, LLC ("Johnson Oil"), pursuant to 35 Ill. Adm. Code § 101.308 hereby notifies the Illinois Pollution Control Board ("Board") that it waives the Board's statutory decision deadlines ("Deadline") for a period of one hundred eighty (180) days, from the current April 13, 2005 Deadline to and including October 13, 2005. Johnson Oil further informs the Board that Johnson Oil and the Illinois Environmental Protection Agency ("Agency") have reached a tentative settlement agreement. However, Johnson Oil requests that its Petition for Review remain pending until the settlement is finalized. The parties will file a Stipulation of Dismissal once the settlement is finalized.

Respectfully Submitted,

PLEWS SHADLEY RACHER & BRAUN



F. Ronalds Walker, Atty No. 2922223
PLEWS SHADLEY RACHER & BRAUN
1346 N. Delaware Street
Indianapolis, Indiana 46202
Ph: (317) 637-0700
Fax: (317) 637-0712

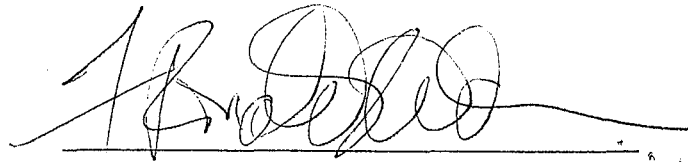
CERTIFICATE OF SERVICE

I, the undersigned attorney at law, hereby certify that on January 26, 2005, I served true and correct copies of the Second Waiver of Statutory Decision Deadlines for One Hundred Eighty (180) Days, by placing true and correct copies in properly sealed and addressed envelopes and by depositing said sealed envelopes in a U.S. mail box with sufficient postage affixed thereto, upon the following named persons:

John Kim
Assistant Counsel
Special Assistant Attorney General
Division of legal Counsel
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

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100 West Randolph Street
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Chicago, Illinois 60601

A handwritten signature in dark ink, appearing to read 'Bradley P. Halloran', is written over a horizontal line. The signature is stylized with large, flowing loops.