

BEFORE THE POLLUTION CONTROL BOARD  
OF THE STATE OF ILLINOIS

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AUG 25 2005

STATE OF ILLINOIS  
Pollution Control Board

Q&E PROPERTIES, INC., )  
)  
Petitioner, )  
)  
v. ) PCB 06-14  
) (UST Appeal)  
ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
)  
Respondent. )

NOTICE OF FILING

TO: John Kim Carol Webb  
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 August 25, 2005, filed with the Clerk of the Illinois Pollution Control Board of the State of Illinois an original, executed copy of a Open Waiver of Statutory Deadline for Decision.

Dated: August 25, 2005

Respectfully submitted,

Q&E Properties, Inc.

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  
291194v1

[This filing submitted on recycled paper as defined in 35 Ill. Adm. Code 101.202]

**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 Webb  
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 25<sup>th</sup> Day of August, 2005.

  
\_\_\_\_\_  
Carolyn S. Hesse

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**OPEN WAIVER OF STATUTORY DEADLINE FOR DECISION**

Petitioner, Q&E Properties, Inc., 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: August 25, 2003

Respectfully submitted,

**Q&E Properties, Inc.**

By: Carolyn S. Hesse  
One of Its Attorneys

Carolyn S. Hesse, Esq.  
Barnes & Thornburg  
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Chicago, Illinois 60606  
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