# BEFORE THE ILLINOIS POLLUTION CONTROL POLICE

ROHM AND HAAS COMPANY	) SEP 2 1 2005
Petitioner,	STATE OF ILLINOIS Pollution Control Board
v.	)
ILLINOIS ENVIRONMENTAL	) PCB 05164
PROTECTION AGENCY,	) FESOP Permit Appeal
Respondent.	)
	)
	)

## **NOTICE OF FILING**

Dennis Brown
Division of Legal Counsel
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

Please take notice that on September 21, 2005, the undersigned caused to be filed with the Clerk of the Illinois Pollution Control Board, Petitioner's Open Waiver of Statutory Decision Deadline, copies of which are herewith served upon you.

Rohm and Haas Company

One of its Attorneys

A. Bruce White Christopher W. Newcomb Karaganis, White & Magel, Ltd. 414 North Orleans Street, Suite 810 Chicago, Illinois 60610 (312) 836-1177

# BEFORE THE ILLINOIS POLLUTION CONTROL BOARD ED CLERK'S OFFICE ROHM AND HAAS COMPANY, Petitioner, Petitioner, Pollution Control Board v. ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, Respondent. PEGETVED CLERK'S OFFICE STATE OF ILLINOIS Pollution Control Board PCB 05-164 FESOP Permit Appeal

### OPEN WAIVER OF STATUTORY DECISION DEADLINE

NOW COMES Petitioner, Rohm and Haas Company (Rohm and Haas or Petitioner), and in accordance with the agreement made during the August 23, 2005 telephonic status conference among Petitioner and the Illinois Pollution Control Board Hearing Officer, based on the ongoing negotiations among Petitioner and Respondent, Petitioner hereby requests an open waiver of the Illinois Pollution Control Board's 120-day statutory decision deadline until such time as the Petitioner files a notice to reinstate.

Respectfully submitted,

**ROHM AND HAAS COMPANY** 

One of its attorneys

Bruce White Christopher Newcomb Karaganis, White and Magel, Ltd. 414 N. Orleans Street, Suite 810 Chicago, Illinois 60610 (312) 836-1177

## **CERTIFICATE OF SERVICE**

I, the undersigned, certify that I have caused the foregoing Waiver of Statutory Decision Deadline to be served by U.S. Mail upon each person listed below, on this 21st day of September, 2005.

Dennis Brown
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Christopher W. Newcomb

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Company