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STATE OF ILLINOIS  
Pollution Control Board

**v.**

Respondent.

PCB 04-133  
(UST Appeal)

**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

**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 Open Waiver of Statutory Deadline for Decision.

Dated: March 23, 2004

Respectfully submitted,

**Keller Oil Company / Sullivan Super K,**

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  
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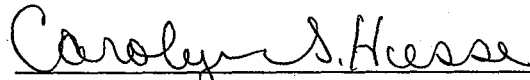
**CERTIFICATE OF SERVICE**

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 23<sup>rd</sup> Day of March, 2004.

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

BEFORE THE POLLUTION CONTROL BOARD  
OF THE STATE OF ILLINOIS

RECEIVED  
CLERK'S OFFICE

MAR 23 2004

STATE OF ILLINOIS  
Pollution Control Board

KELLER OIL COMPANY /  
SULLIVAN SUPER K,

Petitioner,

v.

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY,

Respondent.

PCB 04-133  
(UST Appeal)

OPEN WAIVER OF STATUTORY DEADLINE FOR DECISION

Petitioner, Keller Oil Company / Sullivan Super K, 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 is July 22, 2004.

DATED: March 23, 2004

Respectfully submitted,

Keller Oil Company / Sullivan Super K

By:

Carolyn S. Hesse  
One of Its Attorneys

Carolyn S. Hesse, Esq.  
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