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JAN 27 2004

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

STATE OF ILLINOIS
Pollution Control Board

Noveon, Inc.)

Petitioner,)

v.)

Illinois Environmental Protection Agency,)

Respondent.)

PCB 04-102
(Permit Appeal - Air)

NOTICE OF FILING

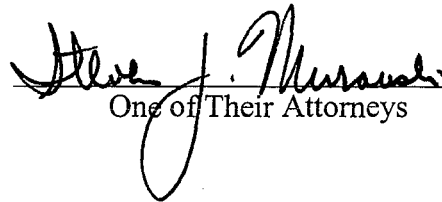
Mr. Rob Layman
Illinois Environmental Protection Agency
Division of Legal Counsel
1021 N. Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

Ms. Dorothy Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph - Suite 11-500
Chicago, IL 60601

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

PLEASE TAKE NOTICE that on Tuesday, January 27, 2004, I have filed with the Office of the Clerk of the Pollution Control Board the **Petitioner Noveon, Inc.'s Waiver of Decision Deadline**, copies of which are attached hereto and herewith served upon you.

By:


One of Their Attorneys

Roy M. Harsch, Esq.
Steven J. Murawski, Esq.
GARDNER, CARTON & DOUGLAS
321 North Clark Street
Suite 3400
Chicago, IL 60610
(312) 644-3000

THIS FILING IS SUBMITTED ON RECYCLED PAPER

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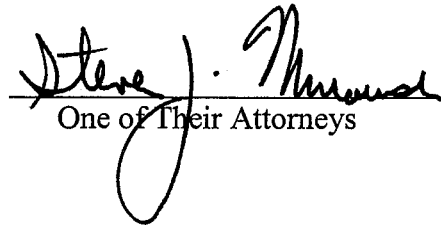
WAIVER OF DECISION DEADLINE

Pursuant to 35 Ill. Adm. Code 101.308 and 415 ILCS 5/40.2, Noveon, Inc., by and through its attorneys, Gardner Carton & Douglas LLP, hereby waives the decision deadline in the above-captioned matter until it elects to reinstate the 120-day decision period by filing a notice to reinstate.

Respectfully submitted,

NOVEON, INC.

By:


One of Their Attorneys

Roy M. Harsch, Esq.
Steven J. Murawski, Esq.
GARDNER, CARTON & DOUGLAS
321 North Clark Street
Suite 3400
Chicago, IL 60610
(312) 644-3000

CERTIFICATE OF SERVICE

The undersigned states that he caused a copy of the **Petitioner Noveon, Inc.'s Waiver of Decision Deadline** to be delivered via messenger delivery this 27th day of January, 2004 to the following:

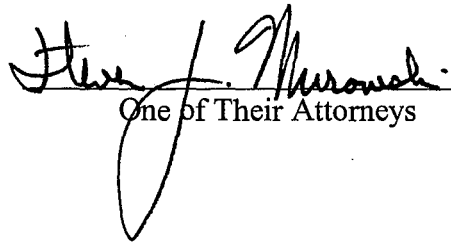
Ms. Dorothy Gunn
Clerk - Illinois Pollution Control Board
100 W. Randolph Street, Rm 11-100
Chicago, IL 60601

and delivered via United States Mail, postage prepaid, on this 27th day of January, 2004 to the following:

Mr. Rob Layman
Illinois Environmental Protection Agency
Division of Legal Counsel
1021 N. Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

Mr. Bradley P. Halloran, Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center
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By:


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