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FEB 10 2004

STATE OF ILLINOIS  
Pollution Control Board

**BEFORE THE  
ILLINOIS POLLUTION CONTROL BOARD**

MARTIN OIL MARKETING, LTD.,        )  
  )  
    Petitioner,                            )  
  )  
                  v.                         )  
  )  
ILLINOIS ENVIRONMENTAL                )  
PROTECTION AGENCY,                    )  
  )  
    Respondent.                         )

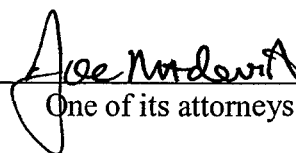
No. PCB 04-93  
(UST - Fund)

**NOTICE OF FILING**

**To: See Attached Service List**

PLEASE TAKE NOTICE that on February 10, 2004, we filed with the Clerk of the Illinois Pollution Control Board, 100 West Washington Street, Suite 11-500, Chicago, Illinois 60601, an original and thirteen (13) copies of **Petitioner's Open Waiver of Statutory Decision Deadline**, a copy of which is attached hereto and hereby served upon you.

**MARTIN OIL MARKETING, LTD.**

By  \_\_\_\_\_  
One of its attorneys

Joseph F. Madonia  
WILDMAN HARROLD ALLEN & DIXON, LLP  
225 West Wacker Drive, Suite 2800  
Chicago, IL 60606  
312-201-2000

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STATE OF ILLINOIS  
Pollution Control Board

**PROOF OF SERVICE**  
(Martin Oil Marketing, Ltd. v. IEPA)  
No. PCB 04-93

I, Larysa Dema, a non-attorney, certify that I served a copy of the foregoing **Petitioner's Open Waiver of Statutory Decision Deadline and Notice of Filing** upon the following by U.S. Mail and depositing same at 225 W. Wacker, Chicago, Illinois, 60606 on this 10th day of February, 2004, with proper postage prepaid:

John Kim  
Illinois Environmental Protection Agency  
Division of Legal Counsel  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, IL 62794-9276

Carol Sudman  
Hearing Officer  
Illinois Pollution Control Board  
1021 North Grand Avenue East  
P.O. Box 19274  
Springfield, Illinois 62794-9274

  
\_\_\_\_\_

[X] Under penalties as provided by law pursuant to ILL. REV. STAT.  
CHAP. 110 - SEC 1-109, I certify that the statements set forth  
herein are true and correct.

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Pollution Control Board

**BEFORE THE  
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                  v.                        )  
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ILLINOIS ENVIRONMENTAL                )  
PROTECTION AGENCY,                    )  
  )  
    Respondent.                         )

No. PCB 04-93  
(UST - Fund)

**PETITIONER'S OPEN WAIVER  
OF STATUTORY DECISION DEADLINE**

Petitioner, Martin Oil Marketing, Ltd., through its attorneys, Wildman, Harrold, Allen & Dixon LLP, hereby waives, pursuant to the "Open Waiver" provision set forth at 35 Ill. Adm. Code 101.308(c)(2), the statutory decision deadlines for this matter.

Respectfully submitted,

MARTIN OIL MARKETING, LTD.

By:           *Joe Madonia*            
          One of its attorneys

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