

BEFORE THE POLLUTION CONTROL BOARD
OF THE STATE OF ILLINOIS

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JUL 25 2003

STATE OF ILLINOIS
Pollution Control Board

OPHELIA NIEMANN f/d/b/a)
BARNEY'S GARAGE, INC.,)
)
Petitioner,)
)
v.) PCB 00-117
) (UST Fund)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

NOTICE OF FILING

TO: John Kim Dorothy Gunn
Special Assistant Attorney General Clerk of the Board
Illinois Environmental Protection Agency Illinois Pollution Control Board
1021 North Grand Avenue East James R. Thompson Center
P.O. Box 19276 Suite 11-500
Springfield, Illinois 62794-9276 100 West Randolph Street
Chicago, Illinois 60601

PLEASE TAKE NOTICE that on July 25, 2003, filed with the Clerk of the Illinois Pollution Control Board of the State of Illinois an original, executed copy of an Open Waiver of Statutory Deadline for Decision.

Dated: July 25, 2003.

Respectfully submitted,

Ophelia Niemann f/d/b/a
Barney's Garage, Inc.

By: Carolyn S. Hesse
One of Its Attorneys

Carolyn S. Hesse
Barnes & Thornburg
One North Wacker Drive
Suite 4400
Chicago, Illinois 60606
(312) 357-1313
176727v1

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:

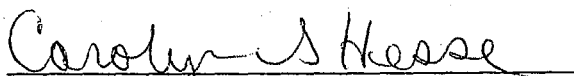
U.S. MAIL

John Kim
Special Assistant Attorney General
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

HAND DELIVERY

Dorothy Gunn
Clerk of the Board
Illinois Pollution Control Board
James R. Thompson Center
Suite 11-500
100 West Randolph Street
Chicago, Illinois 60601

from One North Wacker Drive, Suite 4400, Chicago, Illinois, before the hour of 5:00 p.m., on this 25th Day of July, 2003.



Carolyn S. Hesse

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OPEN WAIVER OF STATUTORY DEADLINE FOR DECISION

Petitioner, Ophelia Niemann f/d/b/a Barney's Garage, 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: July 25, 2003

Respectfully submitted,

Ophelia Niemann f/d/b/a
Barney's Garage, Inc.

By: Carolyn S. Hesse
One of Its Attorneys

Carolyn S. Hesse, Esq.
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