

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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SEP 29 2004

STATE OF ILLINOIS
Pollution Control Board


ILLINOIS STATE TOLL HIGHWAY)	
AUTHORITY (East-West Tollway (I-88))	
Mile Post 109))	
)	
Petitioner,)	
)	PCB - 03-1
v.)	(UST Appeal)
)	
ILLINOIS ENVIRONMENTAL PROTECTION)	
AGENCY,)	
)	
Respondent.)	

NOTICE OF FILING AND PROOF OF SERVICE

TO: Carol Sudman	John J. Kim
Hearing Officer	Illinois Environmental Protection Agency
Illinois Pollution Control Board	P.O. Box 19276
1021 North Grand Avenue East	1021 North Grand Avenue, East
P.O. Box 19274	Springfield, IL 62794-9276
Springfield, IL 62794-9274	

PLEASE TAKE NOTICE that on September 29, 2004, we filed with the Clerk of the Illinois Pollution Control Board the originals and nine (9) copies each, via personal delivery, of Petitioner's Open Waiver of Statutory Deadline, for filing in the above-entitled cause, copies of which are attached hereto.

The undersigned hereby certifies that true and correct copies of the Notice of Filing, together with copies of the documents described above, were served upon the above-named persons by enclosing same in envelopes addressed to said persons, and by depositing said envelopes in a United States Post Office Mail Box at Chicago, Illinois, with postage fully prepaid, on the 29th day of September, 2004.


 Special Assistant Attorney General,
 Illinois State Toll Highway Authority

Kenneth W. Funk, Esq.
Special Assistant Attorney General
Deutsch, Levy & Engel, Chartered
225 W. Washington Street-#1700
Chicago, IL 60606
(312) 346-1460

THIS FILING IS SUBMITTED ON RECYCLED PAPER

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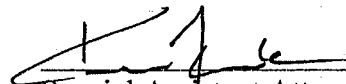
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OPEN WAIVER OF STATUTORY DEADLINE

Petitioner, Illinois State Toll Highway Authority, by its attorneys Deutsch, Levy & Engel, Chartered, waives generally the statutory deadline in this matter, as described in 415 ILCS 5/40 and Ill. Admin. Code §101.308, until Petitioner elects to file a notice to reinstate.

Respectfully submitted,



Special Assistant Attorney General,
Illinois State Toll Highway Authority

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