# BEFORE THE POLLUTION CONTROL BOARD OF THE STATE OF ILLINOIS

KELLER OIL COMPANY, (Charleston),

v.

Petitioner,

PCB 05-50

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,

#### Respondent.

### **NOTICE OF FILING**

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 October 8, 2004, we filed with the Clerk of the Illinois Pollution Control Board of the State of Illinois an original, executed copy of a Waiver of Statutory Deadline for Decision.

Dated: October 8, 2004

Respectfully submitted,

Keller Oil Company (Charleston)

By:

NDO

One of Its Attorneys

Carolyn S. Hesse Barnes & Thornburg One North Wacker Drive Suite 4400 Chicago, Illinois 60606 (312) 357-1313 240395v1

[This filing submitted on recycled paper as defined in 35 Ill. Adm. Code 101.202]

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OCT - 8 2004

STATE OF ILLINOIS Pollution Control Board

### **CERTIFICATE OF SERVICE**

I, on oath state that I have served the attached 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 8<sup>th</sup> Day of October, 2004.

Hesse

Carolyn S. Hesse

[This filing submitted on recycled paper as defined in 35 Ill. Adm. Code 101.202]

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# BEFORE THE POLLUTION CONTROL BOARD OF THE STATE OF ILLINOIS

L. KELLER OIL PROPERTIES, (Charleston),

Petitioner,

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OCT - 8 2004

STATE OF ILLINOIS Pollution Control Board

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,

v.

Respondent.

## WAIVER OF STATUTORY DEADLINE FOR DECISION

Petitioner, L. Keller Oil Properties (Charleston), by its attorneys, pursuant to 35 Ill. Adm. Code 101.308(c)(2), hereby agrees to waive by sixty (60) days the deadline imposed by statute upon the Pollution Control Board for decision of the issues herein. The current decision deadline is January 7, 2005. The new deadline will be March 8, 2005.

Dated: October 8, 2004

Respectfully submitted,

PCB No. 05-50

#### L. Keller Oil Properties / Charleston

liosse By: One of Its Attorneys

Carolyn S. Hesse, Esq. Barnes & Thornburg LLP One North Wacker Drive Suite 4400 Chicago, Illinois 60606 (312) 357-1313 240377v1 .