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NOV 22 2004

STATE OF ILLINOIS
Pollution Control Board

**BEFORE THE POLLUTION CONTROL BOARD
OF THE STATE OF ILLINOIS**

BILL CARTER, d/b/a)
CARTER CONVENIENCE STORE,)
)
Petitioner,)
)
v.) PCB 05-15
) (UST Appeal)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

NOTICE OF FILING

TO: John Kim Carol Webb
Special Assistant Attorney General Hearing Officer
Illinois Environmental Protection Agency Illinois Pollution Control Board
1021 North Grand Avenue East 1021 North Grand Avenue East
P.O. Box 19276 P.O. Box 19274
Springfield, Illinois 62794-9276 Springfield, Illinois 62794-9274

PLEASE TAKE NOTICE that on November 22, 2004, 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: November 22, 2004

Respectfully submitted,

Bill Carter d/b/a Carter Convenience Store

By: Carolyn S Hesse
One of Its Attorneys

Carolyn S. Hesse
Barnes & Thornburg LLP
One North Wacker Drive
Suite 4400
Chicago, Illinois 60606
(312) 357-1313
246239v1

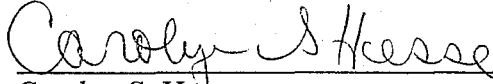
CERTIFICATE OF SERVICE

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 Webb
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 22nd Day of November, 2004.



Carolyn S. Hesse

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WAIVER OF STATUTORY DEADLINE FOR DECISION

Petitioner, Bill Carter, d/b/a Carter Convenience Store, by its attorneys, pursuant to 35 Ill. Adm. Code 101.308(c)(2), hereby agrees to waive the deadline imposed by statute upon the Pollution Control Board for decision of the issues herein. The current decision deadline is February 23, 2005. The new deadline will be May 26, 2005.

Dated: November 22, 2004

Respectfully submitted,

Bill Carter, d/b/a Carter Convenience Store

By: Carolyn S. Hesse
One of Its Attorneys

Carolyn S. Hesse, Esq.
Barnes & Thornburg LLP
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