BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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| BROADUS OIL, |) | OCT 3 1 2005 |
| Petitioner, |) | STATE OF ILLINOIS Pollution Control Board |
| v. |) | PCB 04-31 |
| |) | PCB 05-43 |
| ILLINOIS ENVIRONMENTAL PROTECTION |) | (UST Appeal) |
| AGENCY, |) | (Consolidated) |
| |) | |
| Respondent. |) | |

TENTH SUPPLEMENTAL WAIVER OF DECISION DEADLINE

NOW COMES Petitioner, BROADUS OIL, through its undersigned attorney, and extends the deadline for final Board action in both of the above-referenced dockets for an additional ninety (90) days from the current decision deadline of March 14, 2006 to June 12, 2006.

Respectfully submitted,

BROADUS OIL, Petitioner,

By its attorney,

HEDINGER LAW OFFICE

Stephen Hedinger

Hedinger Law Office 2601 South Fifth Street Springfield, IL 62703 (217) 523-2753 phone (217) 523-4366 fax

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NOTICE OF FILING AND PROOF OF SERVICE

To: Bradley Halloran, Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

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

The undersigned certifies that an original and nine copies of Petitioner's Tenth Supplemental Waiver of Decision Deadline were served upon the Clerk of the Illinois Pollution Control Board, and one copy was served upon the hearing officer and the above party of record in this case by enclosing same in envelopes with postage fully prepaid, and by depositing said envelopes in a U.S. Post Office Mail Box before 5:30 p.m. in Springfield, Illinois on the Aday of October, 2005.

Stephen F. Hedinger

Hedinger Law Office 2601 South Fifth Street Springfield, IL 62703 (217) 523-2753 phone (217) 523-4366 fax

THIS FILING IS SUBMITTED ON RECYCLED PAPER