

BEFORE THE POLLUTION CONTROL BOARD
OF THE STATE OF ILLINOIS

RECEIVED
CLERK'S OFFICE

MAR 10 2006

STATE OF ILLINOIS
Pollution Control Board

DOWNTOWN SHELL / GREENVILLE,)
)
Petitioner,)
)
v.) PCB 06-38
) (UST Appeal)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

NOTICE OF FILING

TO: William Ingersoll
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 19276
Springfield, Illinois 62794-9276

PLEASE TAKE NOTICE that on March 10, 2006 there was 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: March 10, 2006

Respectfully submitted,

Downtown Shell / Greenville,

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
322533v1

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:

William Ingersoll
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 19276
Springfield, Illinois 62794-9276

from One North Wacker Drive, Suite 4400, Chicago, Illinois, before the hour of 5:00 p.m., on this 10th day of March, 2006.



Carolyn S. Hesse

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OPEN WAIVER OF STATUTORY DEADLINE FOR DECISION

Petitioner, Downtown Shell / Greenville, 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: March 10, 2006

Respectfully submitted,

Downtown Shell / Greenville

By: Carolyn S. Hesse
One of Its Attorneys

Carolyn S. Hesse, Esq.
Barnes & Thornburg LLP
One North Wacker Drive
Suite 4400
Chicago, Illinois 60606
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