

BEFORE THE POLLUTION CONTROL BOARD
OF THE STATE OF ILLINOIS

SCATES SERVICE STATION,)
 Petitioner,)
 v.)
 PCB No. 10-44
 (LUST Permit Appeal)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
 Respondent.)

NOTICE OF FILING AND PROOF OF SERVICE

To: John T. Therriault, Clerk Carol Webb
 Illinois Pollution Control Board Hearing Officer
 100 West Randolph Street Illinois Pollution Control Board
 State of Illinois Building, Suite 11-500 1021 North Grand Avenue East
 Chicago, IL 60601 P.O. Box 19274
 Springfield, IL 62794-9274

Melanie A. Jarvis
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

PLEASE TAKE NOTICE that I have today electronically filed with the Office of the Clerk of the Illinois Pollution Control Board, pursuant to Board Procedural Rule 101.302 (d), a Waiver of Decision Deadline , a copy of which is herewith served upon the Illinois Environmental Protection Agency.

The undersigned hereby certifies that a true and correct copy of this Notice of Filing, together with a copy of the document described above, were today served upon the hearing officer and counsel of record to all parties to this cause by enclosing same in an envelope addressed to such attorneys at their business addresses as disclosed by the pleadings of record herein, with postage fully prepaid, and by depositing said envelope in a U.S. Post Office Mailbox in Springfield, Illinois on the 9th day of November, 2010.

Respectfully submitted,
SCATES SERVICE STATION, Petitioner

BY: MOHAN, ALEWELT, PRILLAMAN & ADAMI

BY: /s/ Patrick D. Shaw
 Patrick D. Shaw

MOHAN, ALEWELT, PRILLAMAN & ADAMI
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THIS FILING SUBMITTED ON RECYCLED PAPER

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WAIVER OF DEADLINE FOR DECISION

NOW COMES Petitioner, Scates Service Station, by its undersigned attorney, pursuant to Section 101.308(c)(1) of the Board's Procedural Rules, 35 Ill. Adm. Code 101.308(c)(1), hereby waives its right to a decision within 180 days of filing, as provided in Section 40(a)(2) of the Illinois Environmental Protection Act (415 ILCS 5/40(a)(2)), provided that such final action be taken by May 6, 2011.

Respectfully submitted,
SCATES SERVICE STATION, Petitioner

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BY: /s/ Patrick D. Shaw
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