

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

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OCT 10 2006

STATE OF ILLINOIS
Pollution Control Board

KIBLER DEVELOPMENT CORPORATION and
MARION RIDGE LANDFILL, INC.,

Petitioners,

v.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,

Respondent.

Case No. 2005-035

Permit Appeal

NOTICE OF FILING AND PROOF OF SERVICE

The undersigned certifies that an original and nine copies of the foregoing Waiver of Decision Deadline and of this Notice of Filing and Proof of Service, were served upon the Clerk of the Illinois Pollution Control Board, and one copy to each of the following parties of record and hearing officer in this cause by enclosing same in an envelope addressed to:

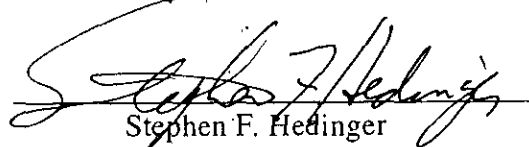
Dorothy Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph St., Suite 11-500
Chicago, IL 60601

Francis X. Lyons
Bell, Boyd & Lloyd LLC
70 West Madison Street
Chicago, IL 60602

Carol Webb
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East, P.O. Box 19274
Springfield, IL 62796-9274

James Kropid
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 N. Grand Ave. East
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Springfield, IL 62794-9276

with postage fully prepaid, and by depositing said envelope in a U.S. Post Office Mail Box in Springfield, Illinois before 5:30 p.m. on the 5th day of October, 2006.


Stephen F. Hedinger

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WAIVER OF DECISION DEADLINE

NOW COME Petitioners, KIBLER DEVELOPMENT CORPORATION and
MARION RIDGE LANDFILL, INC., through their undersigned attorney, and waive their
right to a decision within 120 days of September 25, 2004, the date of filing of the
Petition for Review for Permit Conditions, pursuant to Section 40(a)(1) of the Illinois
Environmental Protection Act, 415 ILCS 5/40(a)(1), and extend the deadline for final
Board action from the current decision deadline, January 18, 2007 to March 19, 2007.

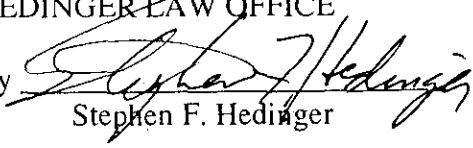
Respectfully submitted,

Kibler Development Corporation & Marion
Ridge Landfill, Inc.,
Petitioners,

By their attorney,

HEDINGER LAW OFFICE

By


Stephen F. Hedinger

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