

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

LONE STAR INDUSTRIES, INC.,            )  
  )  
                          Petitioner,            )  
  )  
                          v.                    )     PCB 07-71  
  )     (Construction Permit Appeal)  
ILLINOIS ENVIRONMENTAL            )  
PROTECTION AGENCY,                )  
  )  
                          Respondent.        )

**NOTICE OF FILING**

TO:   Dorothy M. Gunn, Clerk            Carol Webb, Esq.  
      Illinois Pollution Control Board   Illinois Pollution Control Board  
      100 West Randolph Street        1021 North Grand Avenue East  
      Suite 11-500                       Post Office Box 19274  
      Chicago, Illinois 60601           Springfield, Illinois 62794-9274  
      (VIA ELECTRONIC MAIL)           (VIA FIRST CLASS MAIL)

**(SEE PERSONS ON ATTACHED SERVICE LIST)**

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board a **NOTICE OF WAIVER OF 120-DAY DECISION DEADLINE FOR AN ADDITIONAL 90 DAYS**, a copy of which is herewith served upon you.

Respectfully submitted,

LONE STAR INDUSTRIES, INC.,  
Petitioner,

Dated: April 24, 2007

By:           /s/ Thomas G. Safley            
  One of Its Attorneys

Katherine D. Hodge  
Thomas G. Safley  
HODGE DWYER ZEMAN  
3150 Roland Avenue  
Post Office Box 5776  
Springfield, Illinois 62705-5776  
(217) 523-4900

**CERTIFICATE OF SERVICE**

I, Thomas G. Safley, the undersigned, hereby certify that I have served the attached NOTICE OF WAIVER OF 120-DAY DECISION DEADLINE FOR AN ADDITIONAL 90 DAYS upon:

Ms. Dorothy M. Gunn  
Clerk of the Board  
Illinois Pollution Control Board  
100 West Randolph Street  
Suite 11-500  
Chicago, Illinois 60601

via electronic mail on April 24, 2007; and upon:

Carol Webb, Esq.  
Hearing Officer  
Illinois Pollution Control Board  
1021 North Grand Avenue East  
Post Office Box 19274  
Springfield, Illinois 62794-9274

Robb H. Layman, Esq.  
Assistant Counsel  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
Post Office Box 19276  
Springfield, Illinois 62794-9276

by depositing said documents in the United States Mail, postage prepaid, in Springfield, Illinois on April 24, 2007.

/s/ Thomas G. Safley  
Thomas G. Safley

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

LONE STAR INDUSTRIES, INC.,	)	
	)	
Petitioner,	)	
	)	
vs.	)	PCB 07-71
	)	(Construction Permit Appeal)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

**NOTICE OF WAIVER OF 120-DAY  
DECISION DEADLINE FOR AN ADDITIONAL 90 DAYS**

NOW COMES Petitioner, LONE STAR INDUSTRIES, INC., d/b/a Buzzi Unicem USA (hereinafter "Lone Star" or "Petitioner"), by and through its attorneys, HODGE DWYER ZEMAN, pursuant to 35 Ill. Admin. Code § 101.308(c)(2), and hereby agrees to waive the statutory 120-day decision deadline for final action by the Illinois Pollution Control Board in this proceeding for an additional 90 days, or until December 19, 2007. In support of this Notice, the Petitioner states as follows:

1. On January 29, 2007, Petitioner filed a Petition for Review of the revised construction permit granted to Petitioner by the Illinois Environmental Protection Agency on December 22, 2006.
2. On February 20, 2007, Petitioner filed Notice of Waiver of 120-Day Decision Deadline for an Additional 120 Days. The current statutory decision deadline for this matter is September 20, 2007.
3. Petitioner hereby voluntarily agrees to waive the statutory 120-day decision deadline, for an additional 90 days, or until December 19, 2007, in order to conduct settlement negotiations in this matter.

WHEREFORE, Petitioner, LONE STAR INDUSTRIES, INC., d/b/a Buzzi Unicem USA, prays that the Illinois Pollution Control Board accept this waiver of the statutory 120-day decision deadline for an additional 90 days for final action on Petitioner's appeal of the revised construction permit issued to it by the Illinois Environmental Protection Agency.

Respectfully submitted,

LONE STAR INDUSTRIES, INC.,  
Petitioner,

By: /s/ Thomas G. Safley  
One of Its Attorneys

Dated: April 24, 2007

Katherine D. Hodge  
Thomas G. Safley  
HODGE DWYER ZEMAN  
3150 Roland Avenue  
Post Office Box 5776  
Springfield, Illinois 62705-5776  
(217) 523-4900

LONE:001/Fil/Notice of Waiver2