

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: Mr. John T. Therriault,	Carol Webb, Esq.
Assistant Clerk of the Board	Illinois Pollution Control Board
Illinois Pollution Control Board	1021 North Grand Avenue East
100 West Randolph Street	Post Office Box 19274
Suite 11-500	Springfield, Illinois 62794-9274
Chicago, Illinois 60601	<b>(VIA FIRST CLASS MAIL)</b>
<b>(VIA ELECTRONIC MAIL)</b>	

**(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 60 DAYS**, a copy of which is herewith served upon you.

Respectfully submitted,

LONE STAR INDUSTRIES, INC.,  
Petitioner,

Dated: October 30, 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 60 DAYS upon:

Mr. John T. Therriault  
Assistant Clerk of the Board  
Illinois Pollution Control Board  
100 West Randolph Street  
Suite 11-500  
Chicago, Illinois 60601

via electronic mail on October 30, 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 October 30, 2007.

/s/ Thomas G. Safley  
Thomas G. Safley

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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 60 DAYS**

NOW COMES Petitioner, LONE STAR INDUSTRIES, INC., d/b/a Buzzi Unicem USA (hereinafter "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 60 days, or until April 21, 2008. In support of this Notice, 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 August 28, 2007, Petitioner filed its third Notice of Waiver of 120-Day Decision Deadline in this matter. The current statutory deadline for this matter is February 21, 2008.

3. Petitioner hereby voluntarily agrees to waive the statutory 120-day decision deadline for an additional 60 days, or until April 21, 2008, in order to continue 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 60 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: October 30, 2007

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Thomas G. Safley  
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