



**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 120 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 February 20, 2007; and upon:

Division of Legal 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 February 20, 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 120 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 (“Board”) in this proceeding for an additional 120 days, or until September 26, 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 (“Illinois EPA”) on December 22, 2006. The current statutory decision deadline for this matter is May 29, 2007.

2. Petitioner hereby voluntarily agrees to waive the statutory 120-day decision deadline, for an additional 120 days, or until September 26, 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 120 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: February 20, 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 Waiver