

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

LONE STAR INDUSTRIES, INC., )  
)  
Petitioner, )  
)  
vs. ) PCB 07-112  
) (Construction Permit Appeal)  
ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
)  
Respondent. )

**NOTICE OF FILING**

TO: Mr. John Therriault Assistant Clerk of the Board  
Illinois Pollution Control Board  
100 West Randolph Street  
Suite 11-500  
Chicago, Illinois 60601  
**(VIA ELECTRONIC MAIL)**

Bradley P. Halloran, Esq.  
Hearing Officer  
Illinois Pollution Control Board  
100 West Randolph Street  
Suite 11-500  
Chicago, Illinois 60601  
**(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 45 DAYS**, a copy of which is herewith served upon you.

Respectfully submitted,

LONE STAR INDUSTRIES, INC.,  
Petitioner,

Dated: April 4, 2008

By: /s/ Thomas G. Safley  
Thomas G. Safley

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

**THIS FILING SUBMITTED ON RECYCLED PAPER**

**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 45 DAYS upon:

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

via electronic mail on April 4, 2008; and upon:

Bradley P. Halloran, Esq.  
Hearing Officer  
Illinois Pollution Control Board  
100 West Randolph Street  
Suite 11-500  
Chicago, Illinois 60601

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 April 4, 2008.

/s/ Thomas G. Safley

Thomas G. Safley

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

LONE STAR INDUSTRIES, INC.,	)	
	)	
Petitioner,	)	
	)	
vs.	)	PCB 07-112
	)	(Construction Permit Appeal)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

**NOTICE OF WAIVER OF 120-DAY  
DECISION DEADLINE FOR AN ADDITIONAL 45 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 45 days, or until August 22, 2008. In support of this Notice, Petitioner states as follows:

1. On May 15, 2007, Petitioner filed a Petition for Review of the construction permit issued to Petitioner by the Illinois Environmental Protection Agency on April 6, 2007.
2. On February 8, 2008, Petitioner filed its fourth Notice of Waiver of 120-Day Decision Deadline in this matter. Pursuant to that Notice of Waiver, the current statutory deadline for this matter is July 8, 2008.
3. Petitioner hereby voluntarily agrees to waive the statutory 120-day decision deadline for an additional 45 days, or until August 22, 2008, in order to conduct settlement negotiations in this matter.

**Electronic Filing - Received, Clerk's Office, April 4, 2008**

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 45 days for final action on Petitioner's appeal of the construction permit issued to it by the Illinois Environmental Protection Agency.

Respectfully submitted,

LONE STAR INDUSTRIES, INC.,  
Petitioner,

By: /s/ Thomas G. Safley  
Thomas G. Safley

Dated: April 4, 2008

Katherine D. Hodge  
Thomas G. Safley  
HODGE DWYER ZEMAN  
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LONE:001/Fil/PCB Filings 07-112/Notice of Waiver 5 PCB 07-112