

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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KIBLER DEVELOPMENT CORPORATION and  
MARION RIDGE LANDFILL, INC.,

Petitioners,

v.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,

Respondent.

NOV 22 2004

STATE OF ILLINOIS  
Pollution Control Board

Case No. 2005-035

Permit Appeal

**SECOND 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 Denial, 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 for an additional ninety days from the current decision deadline, March 24,  
2005 to June 22, 2005.

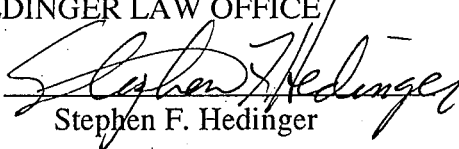
Respectfully submitted,

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

By their attorney,

HEDINGER LAW OFFICE/

By

  
Stephen F. Hedinger

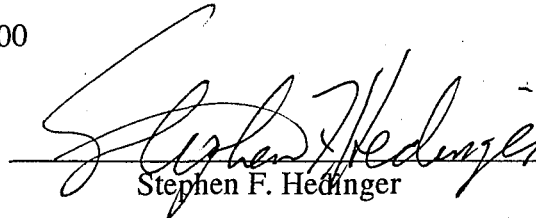
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**PROOF OF SERVICE**

The undersigned certifies that an original and nine copies of Petitioners' Second Waiver of Decision Deadline were served upon the Clerk of the Illinois Pollution Control Board, and one copy was served upon the following party of record and hearing officer in this cause by enclosing same in envelopes with postage fully prepaid, and by depositing said envelopes in a U.S. Post Office Mail Box in Springfield, Illinois on the 19<sup>th</sup> day of November, 2004.

James Kropid  
Division of Legal Counsel  
Illinois Environmental Protection Agency  
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*This Pleading is being submitted on recycled paper*