

RECEIVED
CLERK'S OFFICE

SEP 28 2004

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

KIBLER DEVELOPMENT CORPORATION and
MARION RIDGE LANDFILL, INC.,

Petitioners,

v.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,

Respondent.

STATE OF ILLINOIS
Pollution Control Board

Case No. 2005-035

Permit Appeal

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, December
24, 2004 to March 24, 2005.

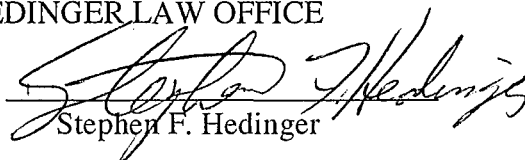
Respectfully submitted,

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

By their attorney,

HEDINGER LAW OFFICE

By


Stephen F. Hedinger

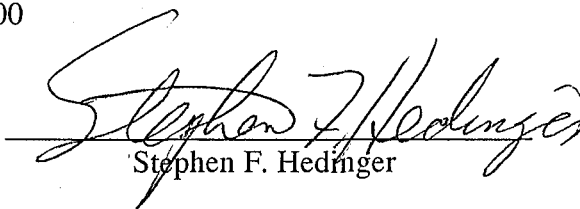
Hedinger Law Office
2601 South Fifth St.
Springfield, IL 62703
(217) 523-2753 phone
(217) 523-4366 fax

PROOF OF SERVICE

The undersigned certifies that an original and nine copies of Petitioners' 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 24th day of September, 2004.

James Kropid
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 N. Grand Ave. East
P.O. Box 19276
Springfield, IL 62794-9276

Carol Sudman
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph St., Suite 11-500
Chicago, IL 60601


Stephen F. Hedinger

HEDINGER LAW OFFICE
2601 South Fifth Street
Springfield, IL 62703
(217) 523-2753 phone
(217) 523-4366 fax

This Pleading is being submitted on recycled paper