

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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JAN 26 2005

STATE OF ILLINOIS  
Pollution Control Board

KIBLER DEVELOPMENT CORPORATION and  
MARION RIDGE LANDFILL, INC.,

Petitioners,

v.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,

Respondent.

Case No. 2005-035  
Permit Appeal

**THIRD 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 sixty days from the current decision deadline, June 22,  
2005 to August 21, 2005.

Respectfully submitted,

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

By their attorney,

HEDINGER LAW OFFICE

By

  
Stephen F. Hedinger

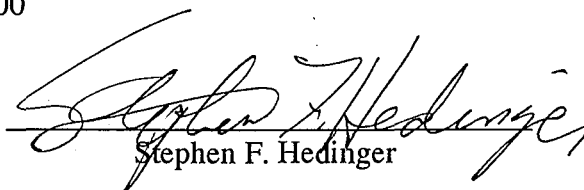
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**PROOF OF SERVICE**

The undersigned certifies that an original and nine copies of Petitioners' Third 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 ~~20th~~ day of January, 2005.

James Kropid  
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*This Pleading is being submitted on recycled paper*