

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 90 DAYS upon:

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

via electronic mail on January 8, 2008; and upon:

Carol Webb, Esq.
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
Post Office Box 19274
Springfield, Illinois 62794-9274

Robb H. Layman, Esq.
Assistant 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 January 8, 2008.

/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 90 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 90 days, or until July 20, 2008. In support of this Notice, 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 on December 22, 2006.
2. On October 30, 2007, Petitioner filed its fourth Notice of Waiver of 120-Day Decision Deadline in this matter. The current statutory deadline for this matter is April 21, 2008.
3. Petitioner hereby voluntarily agrees to waive the statutory 120-day decision deadline for an additional 90 days, or until July 20, 2008, in order to continue 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 90 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: January 8, 2008

Katherine D. Hodge
Thomas G. Safley
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