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STATE OF ILLINOIS  
Pollution Control Board

**BEFORE THE 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

**OPEN WAIVER OF DEADLINE FOR DECISION**

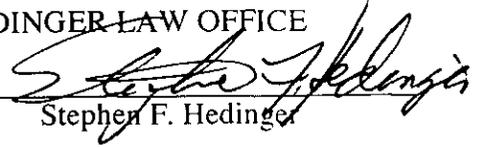
NOW COME Petitioners, KIBLER DEVELOPMENT CORPORATION and MARION RIDGE LANDFILL, INC., by their undersigned attorney, and pursuant to this Board's procedural rule 101.308(c)(1), 35 Ill. Adm. Code Sec. 101.308(c)(1), hereby additionally waive their right to a decision within 120 days from the date of filing of the Petition for Review in this case, as provided in Section 40.1(a) of the Illinois Environmental Protection Act, 415 ILCS 5/40.1(a), and waive the deadline for final Board action with an open waiver from the current decision deadline, until such time, if ever, that Petitioners reinstate the 120-day decision period.

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 Street  
Springfield, IL 62703  
Telephone: (217) 523-2753  
Fax: (217) 523-4366  
hedinger@hedingerlaw.com

