

ILLINOIS POLLUTION CONTROL BOARD
February 15, 1996

WEST SUBURBAN RECYCLING)	
AND ENERGY CENTER, L.P.,)	
)	
Petitioner,)	
)	
v.)	PCB 95-119, 95-125
)	(Permit Appeal - Land & Air)
)	Consolidated
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

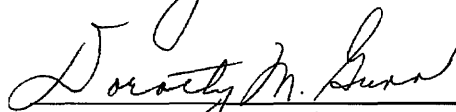
ORDER OF THE BOARD (by R.C. Flemal):

On February 6, 1996 West Suburban Recycling and Energy Center, L.P. (West Suburban) filed an Appeal From the Hearing Officer's Decision Granting the Agency's Request for a Protective Order Denying West Suburban the Opportunity to Depose Mary Gade. On February 14, 1996, the Agency filed an Objection to West Suburban's Appeal. After careful consideration of West Suburban's arguments, the Board finds no compelling reason to overrule the hearing officer's decision. The Board hereby denies West Suburban's appeal and affirms the hearing officer's decision dated February 1, 1996 granting the Agency's request for a protective order denying West Suburban the opportunity to depose Director Mary Gade.

On February 13, 1996 West Suburban filed an Appeal from the Hearing Officer's February 6, 1996 Order Granting the Agency's Request for a Protective Order Denying West Suburban the Opportunity to Depose Deputy Director Bernard Killian. The Board sees no need to wait for a reply from the Agency. The Board finds no persuasive arguments within petitioner's motion to overrule the hearing officer's order. The Board hereby denies West Suburban's appeal and affirms the hearing officer's grant of protective order denying West Suburban the opportunity to depose Deputy Director Bernard Killian.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 15th day of February, 1996, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board