

ILLINOIS POLLUTION CONTROL BOARD  
July 25, 2024

REPUBLIC SERVICES, INC.,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 24-65
	)	(Third-Party Pollution Control Facility
McLEAN COUNTY, ILLINOIS; McLEAN	)	Siting Appeal)
COUNTY BOARD; and LAKESHORE	)	
RECYCLING SYSTEMS, LLC,	)	
	)	
Respondents.	)	

**HEARING OFFICER ORDER**

On July 18, 2024, respondents filed a motion for sanctions due to tardy and allegedly nonresponsive answers to discovery. Petitioner filed a response on July 19, 2024. Respondents' request to bar petitioner from offering evidence that is not part of the filed record is denied. As the hearing officer does not have authority to dismiss this action or grant judgment by default, respondents should renew the requests in post-hearing briefs if they wish to pursue these actions.

On July 24, 2024, the County filed a motion to strike or quash petitioner's rule 237(b) notices to appear on the grounds that petitioner did not use the procedures set forth in the Board's rules. Petitioner filed a response on July 25, 2024. It would be too prejudicial to bar testimony for this reason. As it is preferable that the Board decide this case on the merits, and not on a technicality, the motion is denied.

On July 25, 2024, the parties participated in a pre-hearing status call with the hearing officer. No later than August 6, 2024, respondent Lakeshore Recycling Systems will file a deadline waiver to October 3, 2024.

The transcript will be available on August 6, 2024. Petitioner's brief will be due by August 20, 2024 and respondents' briefs will be due by September 3, 2024.

IT IS SO ORDERED.

*Carol Webb*

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Carol Webb  
Hearing Officer  
Illinois Pollution Control Board  
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CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were e-mailed on July 25, 2024, to each of the persons on the service list below.

It is hereby certified that a true copy of the foregoing order was e-mailed to the following on July 25, 2024:

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“@” Consents to email service.

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