

ILLINOIS POLLUTION CONTROL BOARD

August 1, 1996

ILLINOIS LANDFILL, INC.,)	
)	
Petitioner,)	
)	
v.)	PCB 95-162
)	(Variance - Land)
)	
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

ORDER OF THE BOARD (by G.T. Girard):

On July 24, 1996, Illinois Landfill, Inc. filed a motion to strike objector’s objection and waiver of right to public hearing. On July 31, 1996, the objector (William J. Regan) filed a response to Illinois Landfill, Inc.’s motion to strike objector’s objection. The Board had received the objection filed by William J. Regan on July 17, 1994. The objector’s request for public hearing was not filed within 21 days of publication of notice of the amended petition and is therefore beyond the time allowed for a request for hearing pursuant to Section 37(a) of the Environmental Protection Act. However, Section 37 (a) of the Act also provided that a hearing can be set if the Board “in its discretion, concludes that a hearing would be advisable.” The hearing officer has already set this matter for hearing and the Board directs that the hearing be held. The motion to strike is denied.

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 ____ day of _____, 1996, by a vote of _____.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board