

ILLINOIS POLLUTION CONTROL BOARD  
May 19, 1994

PEKIN METRO LANDFILL,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 92-212
	)	(Permit Appeal)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

ORDER OF THE BOARD (by M. McFawn):

On May 16, 1994 Pekin Metro Landfill (Pekin) filed a motion for a 60-day extension of the briefing schedule in each of its two permit appeals, PCB 92-212 and PCB 93-1. In each case, the briefing schedule has been previously extended four times by Board orders of August 5, 1993, September 23, 1993, November 18, 1993, and February 3, 1994. The instant requests were accompanied by 60-day waivers of the decision deadlines, i.e. until January 27, 1995. The Illinois Environmental Protection Agency (Agency) has not filed a response.

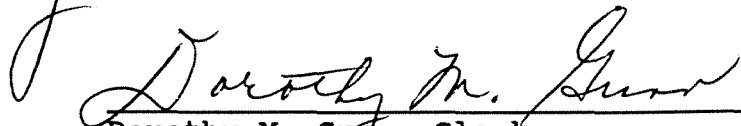
As grounds for the first three extensions, Pekin assured the Board that settlement negotiations were ongoing between Pekin, the intended purchaser of the landfill, the Agency, and the Office of the Attorney General. In its November 15, 1993 motion, Pekin informed the Board that the parties had reached agreement on all substantive issues, but the Attorney General was still drafting the proposed consent order. In its January 13, 1994 motion, Pekin indicated that the parties had negotiated and agreed upon the language of the consent order and were awaiting final approval from the Office of the Attorney General.

Pekin now states that the final consent order was issued by the Attorney General's Office and executed by Pekin on March 7, 1994. Pekin forwarded the consent order to Waste Professionals by the week of March 14, 1994, which executed it on April 8, 1994. A representative of Pekin delivered it to the Attorney General that same day. The parties are now awaiting execution of the consent order by the Office of the Attorney General, and its entry in the Circuit Court of Tazewell County. Pursuant to the terms of the consent order, the parties will present to the Board a joint motion to dismiss within seven days of entry of the consent order.

The motion for extension is granted. Petitioner's closing brief is now due on or before July 11, 1994.

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 19<sup>th</sup> day of May 1994, by a vote of 6-0.

  
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Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board