

ILLINOIS POLLUTION CONTROL BOARD
October 24, 1991

COMMONWEALTH EDISON COMPANY,)
)
 Petitioner,)
)
 v.) PCB 91-178
) (Permit Appeal)
)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

COMMONWEALTH EDISON COMPANY,)
)
 Petitioner,)
)
 v.) PCB 91-180
) (Permit Appeal)
)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

ORDER OF THE BOARD (by J. C. Marlin):

On October 4, 1991, the Petitioner filed a Motion to Consolidate Proceedings in Commonwealth Edison v. IEPA, PCB 91-158; Commonwealth Edison v. IEPA, PCB 91-178; Commonwealth Edison v. IEPA, PCB 91-179; and Commonwealth Edison v. IEPA, PCB 91-180. The Respondent did not file a response. The Petitioner's facilities for which the permit is being sought in PCB 91-158 and PCB 91-179 are located in Cook County. The facilities in PCB 91-178 and PCB 91-180 are located in Will County.

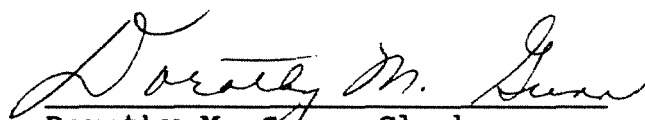
In support of its Motion, Petitioner states that in all four of the permit appeals the Petitioner is seeking review of the same special permit condition. In addition, the Petitioner states that the same relief is being sought in all four petitions.

Section 40 of the Environmental Protection Act requires that notice of hearing shall be given to any person in the county where the facility is located who has requested such notice and that such notice be published in a newspaper of general circulation in the county. Section 103.125 of the Board's procedural rules also states that the hearing shall be held in the county where the facility is located unless the hearing officer shall for stated cause designate another county. Therefore, the Board denies the Petitioner's Motion to Consolidate Proceedings with regards to all of the proceedings. However, to conserve the resources of all the

parties, the Board will grant the consolidation of PCB 91-158 with PCB 91-179. Further, the Board will grant the consolidation of PCB 91-178 with PCB 91-180.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, do hereby certify that the above Order was adopted on the 24th day of October, 1991, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board