

ILLINOIS POLLUTION CONTROL BOARD
September 28, 1989

METROPOLITAN WASTE SYSTEMS, INC.)	
SPICER, INC. AND SPICER)	
PROPERTIES, INC.,)	
)	
Petitioners,)	
)	
v.)	PCB 89-121
)	(Landfill Siting
CITY OF MARSEILLES,)	Review Appeal)
)	
Respondent.)	

ORDER OF THE BOARD (by M. Nardulli):

This matter comes before the Board upon a Motion to Extend Time for Filing Briefs filed September 28, 1989 by respondent City of Marseilles. Respondent moves the Board for an order extending the due date of the briefs in this matter beyond October 19, 1989.

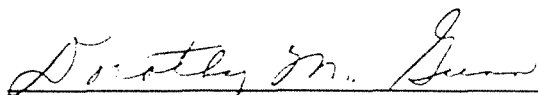
Initially, the Board notes that although respondent's motion was not timely filed in accordance with Section 101.181 of the Board's procedural Rules, the motion will be addressed at this time to avoid undue delay.

The Board notes that its decision in this matter must be entered at the November 15, 1989 Board Meeting in order to comply with the statutory deadline. Therefore, it is essential that briefs be filed with the Board at the set date of October 19, 1989 in order to provide adequate time to consider the factual and legal arguments raised by the parties. The Board also notes that it is the petitioner, not the respondent, who controls any waiver of the statutory deadline.

Respondent's motion is denied.

IT IS TO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board hereby certifies that the above Order was adopted on the 28th day of September, by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board