

ILLINOIS POLLUTION CONTROL BOARD
September 21, 2000

COMMUNITY LANDFILL COMPANY and CITY OF)
MORRIS,)
)
Petitioners,)
)
v.) PCB 01-48
) (Permit Appeal - Land)
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,)
)
Respondent.)
)

COMMUNITY LANDFILL COMPANY and CITY OF)
MORRIS,)
)
Petitioners,)
)
v.) PCB 01-49
) (Permit Appeal - Land)
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,) (Consolidated)
)
Respondent.)
)

ORDER OF THE BOARD (by R.C. Flema):

On September 7, 2000, petitioners Community Landfill Company and City of Morris, filed separate appeals regarding the Illinois Environmental Protection Agency's (Agency) issuance of a significant modification application for the Morris Community Landfill located on Ashley Road, City of Morris, Grundy County, Illinois. PCB 01-48 addresses certain conditions contained in the Parcel A Permit, Log No. 2000-155; PCB 01-49 addresses certain conditions contained in the Parcel B Permit, Log No. 2000-156.

On September 11, 2000, petitioners filed a motion to consolidate permit appeal. The petitioners contend the records, issues, parties, evidence and witnesses in the two cases will be similar, and in some cases identical. Motion (Mot.) at 1. The Agency consents to consolidating these appeals. Mot. at 2. The Board finds judicial economy will be served by consolidating PCB 01-48 and 01-49 and grants the motion to consolidate.

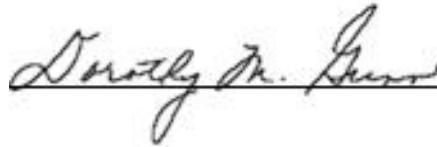
Included in petitioners' September 11, 2000 motion is a request that the Board stay the challenged terms of the permit. No response to this request has yet been filed by the Agency. Accordingly, the Board reserves ruling on the motion for stay.

The Board accepts this matter for hearing. The Board directs that this matter proceed to hearing as expeditiously as practicable. The assigned hearing officer must set the matter for hearing in accordance with the requirements of the Act and the Board's procedural rules. Accordingly, this matter must be set for hearing within 90 days after the filing of the complaint unless the hearing

officer, after appropriate consultation with the parties, determines that a later date is appropriate and that no undue delay or material prejudice in the resolution of this matter would result. See 35 Ill. Adm. Code 103.125(a). In any event, it is the responsibility of the hearing officer to guide the parties toward prompt resolution or adjudication of this matter, through whatever status calls and hearing officer orders he or she determines are necessary and appropriate.

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 21st day of September 2000 by a vote of 7-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", is written over a horizontal line.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board