

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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WASTE MANAGEMENT OF ILLINOIS, INC.)

JUN 30 2003

Petitioner/Respondent,)

STATE OF ILLINOIS
Pollution Control Board

vs.)

PCB 03-144
(Pollution Control
Facility Siting Appeal)

KANKAKEE COUNTY BOARD,)

Respondent.)

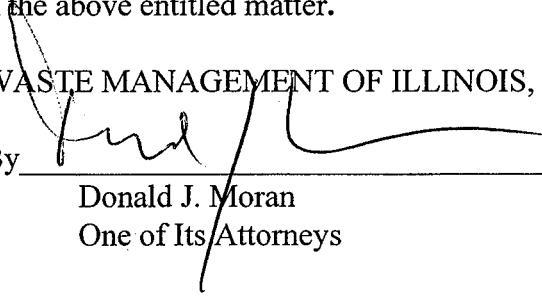
NOTICE OF FILING

TO: See Attached Service List

PLEASE TAKE NOTICE that on June 30, 2003, we filed with the Illinois Pollution Control Board, the attached **WASTE MANAGEMENT OF ILLINOIS, INC.'S MOTION FOR EXTEND BRIEFING SCHEDULE** in the above entitled matter.

WASTE MANAGEMENT OF ILLINOIS, INC.

By


Donald J. Moran
One of Its Attorneys

Donald J. Moran
Lauren Blair
PEDERSEN & HOUP
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WASTE MANAGEMENT OF ILLINOIS, INC.)

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**WASTE MANAGEMENT OF ILLINOIS, INC.'S
MOTION TO EXTEND BRIEFING SCHEDULE**

Petitioner/Respondent WASTE MANAGEMENT OF ILLINOIS, INC. ("WMII"), by its attorneys, Pedersen & Houpt, pursuant to Section 101.522 of the Illinois Pollution Control Board ("Board") Procedural Rules ("Rules") moves for an extension of the briefing schedule in the above-captioned matter and, in support thereof, states as follows:

1. On March 7, 2003, WMII filed its Petition for Review of Site Location Approval Conditions. WMII's appeal contests and objects to Special Conditions 2(h) and 2(x), which the County issued as part of the Site Location Approval, on the grounds that they (i) are neither reasonable nor necessary to accomplish the purposes of Section 39.2 of the Act; and (ii) are not supported by the record and have not been demonstrated to be either technically appropriate or operationally reasonable.

2. The original statutory decision deadline was August 7, 2003. On May 8, 2003, WMII extended the statutory decision deadline to September 4, 2003.

3. On May 20, 2003, after the conclusion of the hearing in this matter, the Hearing

Officer entered an Order setting the following briefing schedule: Petitioner's opening post-hearing brief due by June 30, 2003; Respondent's post-hearing brief due by July 30, 2003; Petitioner's reply due by August 4, 2003; Amicus Curiae briefs and public comment due by June 10, 2003.

4. On June 27, 2003, WMII extended the statutory decision deadline for a second time to October 15, 2003.

5. In light of the extension of the statutory decision deadline, the briefing schedule should likewise be extended an additional 35 days.

6. Moreover, Donald J. Moran, the attorney for WMII primarily responsible for handling this matter, is currently handling a variety of other matters for WMII. Many of the various matters Mr. Moran is handling for WMII have had, and continue to have, overlapping deadlines and hearing dates for the months of May, June and July 2003.

7. In light of the foregoing, WMII requires additional time to prepare the opening post-hearing brief in this matter.

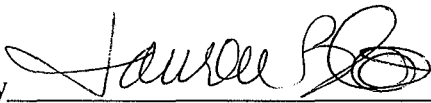
8. This is the first Motion for Extension of Time filed by WMII in this matter. This Motion is not brought for the purpose of improper delay or harassment, and no prejudice to Respondent will result from an extension of an additional 35 days.

9. Counsel for WMII attempted to contact counsel for Respondent, but was unable to reach them to learn whether Respondent has any objection to the requested extension.

WHEREFORE, WASTE MANAGEMENT OF ILLINOIS, INC. respectfully requests that the briefing schedule in this matter be extended for an additional 35 days from June 30, 2003 to August 4, 2003, and for such other and further relief as is deemed appropriate.

Respectfully submitted,

WASTE MANAGEMENT OF ILLINOIS, INC.

By 
One of Its Attorneys

Donald J. Moran
Lauren Blair
PEDERSEN & HOUP
161 North Clark Street
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Chicago, Illinois 60601
(312) 641-6888

PROOF OF SERVICE

Victoria L. Kennedy, a non-attorney, on oath states that she served the foregoing **WASTE MANAGEMENT OF ILLINOIS, INC.'S MOTION TO EXTEND BRIEFING SCHEDULE** on the following parties by hand delivery on or before 5:00 p.m. on this 30th day of June, 2003:

Ms. Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

Bradley Halloran, Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street, Suite 11th Floor
Chicago, Illinois 60601

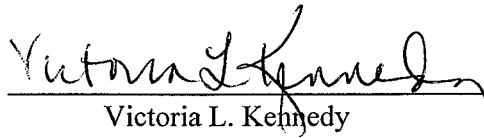
and on the following parties both by facsimile at the facsimile numbers listed below and by depositing same in the U.S. mail at 161 N. Clark St., Chicago, Illinois 60601 on or before 5:00 p.m. on this 30th day of June, 2003:

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Victoria L. Kennedy