

ILLINOIS POLLUTION CONTROL BOARD
March 5, 1998

CITY OF FREEPORT,)	
)	
Petitioner,)	
)	
v.)	PCB 98-108
)	(Permit Appeal - Land)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

ORDER OF THE BOARD (by K.M. Hennessey):

On February 18, 1998, the City of Freeport filed a petition for review of a permit regarding its landfill facility located in Freeport, Stephenson County, Illinois. This matter is accepted for hearing.

The hearing must be scheduled and completed in a timely manner, consistent with Board practices and the applicable statutory decision deadline, or the decision deadline as extended by a waiver. The Board will assign a hearing officer to conduct hearings consistent with this order, and the Clerk of the Board will promptly issue appropriate directions to that assigned hearing officer.

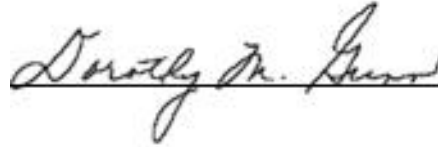
The assigned hearing officer must inform the Clerk of the Board of the time and location of the hearing at least 30 days in advance of hearing so that a 21-day public notice of hearing may be published. Within five days after the hearing, the hearing officer must submit to the Board an exhibit list, a statement regarding credibility of witnesses, and all exhibits.

Any briefing schedule must provide for final filings as expeditiously as possible and, in time-limited cases, no later than 30 days before the decision due date, which is the final regularly scheduled Board meeting date on or before the statutory or deferred decision deadline. Absent any future waivers of the decision deadline, the statutory decision deadline is now June 18, 1998 (120 days from February 18, 1998). A Board meeting is scheduled for June 18, 1998.

If after appropriate consultation with the parties, the parties fail to provide an acceptable hearing date or if after an attempt the hearing officer is unable to consult with the parties, the hearing officer will unilaterally set a hearing date in conformance with the schedule above. The hearing officer and the parties are encouraged to expedite this proceeding as much as possible. The Board notes that Board rules (35 Ill. Adm. Code 105.102) require the Illinois Environmental Protection Agency (Agency) to file the entire Agency record of the permit application within 14 days of notice of the petition.

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 5th day of March 1998, by a vote of 6-0.

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

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board