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JUL 17 2006

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD **STATE OF ILLINOIS**
Pollution Control Board

PEORIA DISPOSAL COMPANY,)	
)	
Petitioner,)	
)	PCB 06-184
v.)	(Pollution Control Facility Siting
)	Appeal)
PEORIA COUNTY BOARD,)	
)	
Respondent.)	

MOTION FOR LEAVE TO FILE
ADMINISTRATIVE RECORD ON DISK

NOW COMES, Respondent, the Peoria County Board, by and through its attorneys, and for this Motion for Leave to File Administrative Record on Disk, states as follows:

1. On or about June 7, 2006, the Pollution Control Board issued an Order requiring the County to file the entire record of its proceedings within 21 days after the date of the Order.
2. On June 29, 2006, the parties participated in a telephone status conference with the hearing officer, at which time it was agreed by the parties and the hearing officer that due to the voluminous nature of the record, the County would have until July 28, 2006, to file and certify the record.
3. During the telephone status conference, there was a general consensus among counsel for the parties that the "administrative record" (compliance and monitoring documents filed with the Illinois Environmental Protection Agency) which was required to be filed as part of Petitioner's application was quite voluminous, and that generating copies of the administrative record and file-stamping the documents would be extremely time consuming and costly.
4. During the telephone status conference, counsel for the parties generally agreed that it would be best if the administrative record could be filed with the Board on compact disk as opposed to on paper as required by the Board's rules.
5. The County believes filing the administrative record portion of the Public Record on disk would not hinder, delay or otherwise negatively impact the proceedings before the Board.

6. The County believes filing the administrative record on compact disk would, in fact, facilitate the timely filing and certification of the Record by dramatically reducing the number of documents that have to be stamped and copied, and would help control the costs of compiling, certifying and copying the record.

7. Allowing a deviation from Board's rules for only that portion of the public record relating to the administrative record will not prejudice Petitioner or Respondent during these proceedings, or otherwise make the Board's review more difficult.


8. There will be no prejudice to the public caused by allowing the administrative record to be produced on compact disk since those documents are already public documents which may be obtained from the Illinois Environmental Protection Agency.

9. All other portions of the Record pertaining to the proceedings before the County Board will be filed on paper in accordance with the Board's rules.

WHEREFORE, the County respectfully requests the Board grant the County leave to file the administrative record on disk with the Board as part of the Record.

DATED: July 10, 2006.

Respectfully submitted,

By 
David A. Brown, One of the Attorneys
for Peoria County

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v.

PEORIA COUNTY BOARD,

Respondent.

PCB 06-184

**(Pollution Control Facility Siting
Appeal)**

AFFIDAVIT OF SERVICE

The undersigned, a non-attorney, being duly sworn upon oath, states that a copy of the attached Motion for Leave to File Administrative Record on Disk, of Respondent Peoria County Board, was served upon the following persons by enclosing such documents in separate envelopes, addressed as follows, and depositing said envelopes in the U.S. Postal Service mail box at Morton, Illinois on the 10 day of July, 2006, before 5:00 p.m., with all fees thereon fully prepaid and addressed as follows:

Carol Webb
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
P.O. Box 19274
Springfield, Illinois 62794-9274

George Mueller, P.C.
Attorney at Law
628 Columbus Street, Suite 204
Ottawa, IL 61350

Brian J. Meginnes
Elias, Meginnes, Riffle & Seghetti, P.C.
416 Main Street, Suite 1400
Peoria, IL 61602

Dated: July 10, 2006.

Heather A. Feeney
Legal Assistant

Subscribed and sworn to before me, a Notary Public, in the County and State as aforesaid, this 10 day of July, 2006.

Christina A. Rook
Notary Public

