

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

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

**NOTICE OF FILING**

**TO:** See attached service list

**PLEASE TAKE NOTICE THAT** on the 9<sup>th</sup> day of February, 2007, George Mueller, one of the attorneys for Petitioner, Peoria Disposal Company, filed his Motion for Leave to File an Opening Brief in Excess of 50 Pages, via electronic filing as authorized by the Clerk of the Illinois Pollution Control Board.

Respectfully submitted,  
PEORIA DISPOSAL COMPANY

BY:           / s / George Mueller            
One of its attorneys

**BEFORE THE 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 AN OPENING BRIEF IN EXCESS OF 50 PAGES**

**NOW COMES** Petitioner, Peoria Disposal Company, by George Mueller, one of its attorneys and moves for leave to file an Opening Brief in excess of 50 pages and, in support thereof, states that:

1. 35 IAC 101.302(k) limits Briefs filed with the Board to 50 pages, unless the Board or its Hearing Officer grants leave to exceed this limit.
2. That the Opening Brief of Peoria Disposal Company is due on February 16, 2007.
3. The record herein consists of nearly 14,000 pages filed by Peoria County as well as the testimony of several dozen witnesses on the issue of whether the proceedings were fundamentally fair. This is a large record.
4. There are multiple issues before the Board, including whether the proceedings were fundamentally fair, and whether the decision on three of the siting criteria was against the manifest weight of the evidence.

5. Petitioner, Peoria Disposal Company, cannot adequately brief all of the issues with a 50 page limitation.

6. Peoria County has no objection to this motion.

7. Peoria Disposal Company estimates that its Opening Brief will be approximately 115 pages.

**WHEREFORE**, Petitioner, Peoria Disposal Company, prays for leave to exceed the 50 page limit for its Opening Brief.

Respectfully submitted,  
PEORIA DISPOSAL COMPANY

BY:           / s / George Mueller            
          One of its attorneys

**GEORGE MUELLER**  
609 Etna Road  
Ottawa, Illinois 61350  
(815) 431-1500 – Telephone  
(815) 431-1501 - Facsimile