

ILLINOIS POLLUTION CONTROL BOARD

June 25, 2008

PEOPLE OF WILLIAMSON COUNTY and)	
the WILLIAMSON COUNTY BOARD,)	
)	
Petitioners,)	
)	PCB 08-93
v.)	(Permit Appeal– Land)
)	
KIBLER DEVELOPMENT CORPORATION,)	
MARION RIDGE LANDFILL, INC., and)	
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondents.)	

HEARING OFFICER ORDER

The parties are advised that this matter has been assigned to the hearing officer identified below. From this date forward, any pleading filed with the Clerk of the Board in this matter must also be served individually on the hearing officer.

On June 23, 2008, the Illinois Environmental Protection Agency (Agency) filed a motion to dismiss, and on June 25, 2008, Kibler Development Corporation and Marion Ridge Landfill filed a motion to strike and dismiss. Petitioners' response is due by July 7, 2008. The mailbox rule will not apply, although the response may be filed electronically or by facsimile. No replies to the response are authorized. The Board plans to rule on the motions at its meeting on July 10, 2008.

Respondents Kibler Development Corporation and Marion Ridge Landfill, Inc. have advised the hearing officer that they do not intend to file a decision deadline waiver. Accordingly, although the Board has not accepted the case for hearing, the hearing officer is required to set this case for hearing.

If the Board accepts this case, a hearing is set for 9:00 a.m. on July 28, 2008. Concurrent briefs will be due on August 11, 2008, and concurrent responses will be due by August 18, 2008. The mailbox rule will not apply. Parties may file briefs electronically or by facsimile.

The parties have agreed to the following discovery schedule. Discovery requests will be served by June 25, 2008. Responses will be due by July 9, 2008. Depositions will be conducted the week of July 14, 2008. Before filing any discovery motions or objections, the parties are encouraged to review the Board's November 17, 2005 order in Des Plaines River Watershed, et. al. v. IEPA and Village of New Lenox, (PCB 04-88).

This order addresses issues pertaining to the scope of discovery in third party permit appeals.

The parties are directed to participate in a telephone status conference with the hearing officer at 2:00 p.m. on July 1, 2008. The status conference shall be initiated by the petitioners.

The decision deadline is September 18, 2008.

IT IS SO ORDERED.



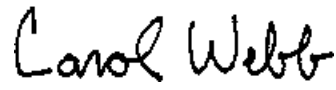
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CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, on June 24, 2008, to each of the persons on the attached service list.

It is hereby certified that a true copy of the foregoing order was hand delivered to the following on June 24, 2008:

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