

ILLINOIS POLLUTION CONTROL BOARD
May 7, 2009

FOX MORaine, LLC,)	
)	
Petitioner,)	
)	
v.)	PCB 07-146
)	(Pollution Control Facility
UNITED CITY OF YORKVILLE, CITY)	Siting Appeal)
COUNCIL)	
)	
Respondent.)	

ORDER OF THE BOARD (by G.T. Girard):

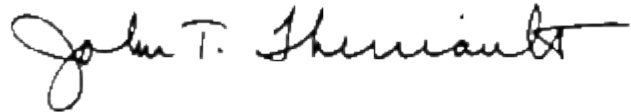
On April 28, 2009, Fox Moraine, LLC (petitioner) filed a motion asking the Board to allow petitioner to “check-out” a paginated copy of the record for use in preparing briefs. Petitioner filed this as an emergency motion because petitioner’s brief is due on June 12, 2009. The hearing officer contacted United City of Yorkville, City Council (respondent) to determine if a response would be filed. Respondent indicated no response would be filed.

On August 9, 2007, the Board granted in part a motion filed by respondents seeking relief from the record filing requirements. Specifically, the Board allowed respondent to file a limited number of copies of the record and Board directed respondent to file an original copy, two paper copies, and one electronic copy on compact disk.

The Board will grant petitioner’s motion to “check out” the record. Petitioner may choose either a paper copy or compact disk. The record must be returned by petitioner on June 12, 2009, when the brief is filed.

IT IS SO ORDERED.

I, John T. Therriault, Assistant Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on May 7, 2009, by a vote of 5-0.



John T. Therriault, Assistant Clerk
Illinois Pollution Control Board