

ILLINOIS POLLUTION CONTROL BOARD
May 16, 1985

MCHENRY COUNTY LANDFILL, INC.,)
)
 Petitioner,)
)
 v.) PCB 85-56
)
 COUNTY BOARD OF MCHENRY COUNTY,)
)
 Respondent.)

MCHENRY COUNTY LANDFILL, INC.,)
)
 Petitioner,)
)
 COUNTY BOARD OF MCHENRY COUNTY,)
)
 Respondent,) PCB 85-61
)
 and)
)
 VILLAGE OF HUNTLEY,)
)
 Respondent-Objector.)

MCHENRY COUNTY LANDFILL, INC.,)
)
 Petitioner,)
)
 COUNTY BOARD OF MCHENRY COUNTY,)
)
 Respondent) PCB 85-62
)
 LANDFILL EMERGENCY ACTION)
 COMMITTEE)
)
 Respondent-Objector.)

MCHENRY COUNTY LANDFILL, INC.,)
)
 Petitioner,)
)
 COUNTY BOARD OF MCHENRY COUNTY,)
)
 Respondent,) PCB 85-63
)
 and)

MCHENRY COUNTY DEFENDERS,)
)
)
 Respondent-Objector.)

MCHENRY COUNTY LANDFILL, INC.,)
)
)
 Petitioner,)
)
)
 COUNTY BOARD OF MCHENRY COUNTY,)
)
)
 Respondent,) PCB 85-64
)
)
 and)
)
)
 ARTHUR T. MCINTOSH & CO.,)
)
)
 Respondent-Objector.)

MCHENRY COUNTY LANDFILL, INC.,)
)
)
 Petitioner,)
)
)
 COUNTY BOARD OF MCHENRY COUNTY,)
)
)
 Respondent,) PCB 85-65
)
)
 and)
)
)
 VILLAGE OF LAKEWOOD,)
)
)
 Respondent-Objector.)

MCHENRY COUNTY LANDFILL, INC.,)
)
)
 Petitioner,)
)
)
 COUNTY BOARD OF MCHENRY COUNTY,)
)
)
 Respondent,) PCB 85-66
)
)
 and)
)
)
 HUNTLEY FIRE PROTECTION DISTRICT,)
)
)
 Respondent-Objector.)

ORDER OF THE BOARD (by J. Anderson):

Transcription Costs

The issue of who has the burden of providing transcription in Board site location suitability appeals has been addressed in Town of Ottawa, et al. v. IPCB, et al., Ill. App. 3rd _____ (Third District, No. 3-84-0158) In that case, the Court ordered the Board to assume transcription costs (Slip Opinion at 8-9). That Opinion was issued on November 30, 1984. The mandate in Ottawa issued from the Third District on April 15, 1985, the Supreme Court having denied leave to appeal on March 14, 1985.

In cognizance of this ruling, the Board will provide for stenographic transcription of the proceedings in this matter.

Cross Appeals

On May 3, 1985 six "cross-appeals" were filed by various persons, each bearing the docket number PCB 85-56. To avoid administrative confusion, each of these filings has been renumbered, and a separate docket number has been assigned to each. These are:

- 85-61 McHenry County Landfill, Inc. v. County Board of McHenry County, et al. (Village of Huntley; cross appeal)
- 85-62 McHenry County Landfill, Inc. v. County Board of McHenry County, et al. (Landfill Emergency Action Committee; cross appeal)
- 85-63 McHenry County Landfill, Inc. v. County Board of McHenry County, et al. (McHenry County Defenders; cross appeal)
- 85-64 McHenry County Landfill, Inc. v. County Board of McHenry County, et al. (Arthur T. McIntosh & Co.; cross appeal)
- 85-65 McHenry County Landfill, Inc. v. County Board of McHenry County, et al. (Village of Lakewood; cross appeal)
- 85-66 McHenry County Landfill, Inc. v. County Board of McHenry County, et al. (Huntley Fire Protection District; cross appeal)

A motion to strike each of these filings was filed on May 7, 1985, also bearing the docket number 85-56. This has also been renumbered to reflect the docketing change. The Board will make no disposition of the motion today, since no responses have been filed, but will schedule this matter for decision at its May 30 meeting.

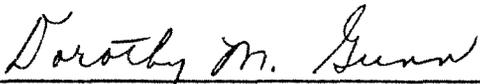
Finally, the Board notes that the pendency of this motion should not delay the scheduling of hearing in PCB 85-56. Should

the Board determine that the cross appeals are to proceed, they will be consolidated with PCB 85-56.

IT IS SO ORDERED.

J. Theodore Meyer dissented.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board hereby certify that the above Order was adopted on the 16th day of May, 1985 by a vote of 5-1.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board