

ILLINOIS POLLUTION CONTROL BOARD  
June 25, 1987

ILLINOIS ENVIRONMENTAL PROTECTION )  
AGENCY, AND THE PEOPLE OF THE )  
STATE OF ILLINOIS, )  
 )  
Complainants, )  
 )  
v. ) PCB 86-160  
 )  
FITZ-MAR LANDFILL, INC. )  
 )  
Respondent. )

---

IN THE MATTER OF: )  
 ) AC 87-27  
FITZ-MAR LANDFILL, INC. ) IEPA Docket No. 8306-AC  
 )  
Respondent. )

---

IN THE MATTER OF: )  
 ) AC 87-46  
FITZ-MAR LANDFILL, INC. ) IEPA Docket No. 8383-AC  
 )  
Respondent. ) (NCT CONSOLIDATED)

ORDER OF THE BOARD (by J. Anderson):

On June 10, 1987, the Board issued Orders in three cases involving enforcement actions brought by the Agency against Fitz-Mar. In two of these, AC 87-27 and AC 87-46, the Agency was given until June 19, 1987 in which to file responses to motions filed by Fitz-Mar on May 26. In each of these cases, the Agency filed a motion for extension of time in which to respond through June 29.

In the third case, PCB 86-160, the June 10 Order accepted an Agency June 10 response to Fitz-Mar's May 26 motion to dismiss. The Order went on to grant Fitz-Mar leave to file a reply to the response on or before June 19. On June 19, 1987, Fitz-Mar filed a motion for extension of time in which to file a reply. Fitz-Mar's motion noted that the Board's June 10 Orders had indicated a potential similarity of issues in these three cases. The motion further noted that Fitz-Mar's reply in PCB 86-160 was due on the same date as the Agency's responses in AC 87-27 and AC 87-

46. In the interests of more fully informing the Board, Fitz-Mar requests leave to file a reply 14 days after the Agency filings in AC 87-27 and AC 87-46, to allow Fitz-Mar to reply to all related issues.

The Agency's motions for extension of time to file responses to the motions pending in AC 87-27 and AC 87-46 are granted. These filings are due on or before June 29, 1987. Fitz-Mar's motion for extension of time in which to file a response in PCB 86-160 is also granted, as is leave to file a reply to responses filed in AC 87-27 and AC 87-46. These three filings are due on July 13, 1987.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 25<sup>th</sup> day of June, 1987, by a vote of 6-0.

  
\_\_\_\_\_  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board