

ILLINOIS POLLUTION CONTROL BOARD  
March 15, 2007

VILLAGE OF WILMETTE, )  
 )  
 Petitioner, )  
 )  
 v. ) PCB 07-48  
 ) (UST Appeal)  
 ILLINOIS ENVIRONMENTAL )  
 PROTECTION AGENCY, )  
 )  
 Respondent. )

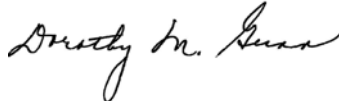
ORDER OF THE BOARD (by G.T. Girard):

On December 21, 2006, the Board accepted this underground storage tank appeal for hearing. On January 18, 2007, Wilmette filed a motion seeking to consolidate this proceeding with PCB 07-27, Village of Wilmette v. IEPA. The Agency has not responded to the motion to consolidate

The Board “will consolidate the proceedings if consolidation is in the interest of convenient, expeditious, and complete determination of claims, and consolidation would not cause material prejudice to any party.” 35 Ill. Adm. Code 101.406. Currently, a motion for summary judgment is pending in PCB 07-27, but not in PCB 07-48. Thus, until the motion for summary judgment is resolved or a similar motion is filed in PCB 07-48, the Board finds that consolidation is not in the interest of convenient, expeditious, and complete determination of the claims. Therefore, the Board denies the motion to consolidate.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on March 15, 2007, by a vote of 4-0.



Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board