

ILLINOIS POLLUTION CONTROL BOARD
August 9, 2007

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 June 27, 2007, Fox Moraine, LLC (petitioner) timely filed a petition asking the Board to review a May 24, 2007 decision of United City of Yorkville City Council (Yorkville). Yorkville's decision concerns petitioner's proposed siting of a pollution control facility in Yorkville, Kendall County. On July 12, 2007, the Board accepted the petition for hearing

On July 20, 2007 Yorkville filed a motion for relief from certain record requirements (Mot). Yorkville seeks relief from filing an original and nine copies of the record in this proceeding and the original and seven copies of transcripts as required by the Board's rules at Section 107.304(b). Yorkville maintains that the record is voluminous and seeks leave to file one paper copy of the record with one disk. Mot at 2. In addition, Yorkville requests permission to file pre-hearing exhibits and comments alphabetically rather than chronologically. *Id.*

The Board grants in part Yorkville's motion for relief. Specifically, the Board will allow Yorkville to file a limited number of copies of the record; the Board directs Yorkville to file an original and two paper copies and one disk. Yorkville may also include pre-hearing exhibits and comments in alphabetical order rather than chronological order.

The Board notes that the record is due to be filed on August 16, 2007, by hearing officer order. As petitioner has waived the decision deadline in this matter to January 24, 2008 and a hearing has not yet been set, the Board extends the filing deadline to August 30, 2007.

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 August 9, 2007, by a vote of 4-0.

A handwritten signature in black ink that reads "John T. Therriault". The signature is written in a cursive style with a long horizontal stroke at the end.

John T. Therriault, Assistant Clerk
Illinois Pollution Control Board