

ILLINOIS POLLUTION CONTROL BOARD
November 20, 2007

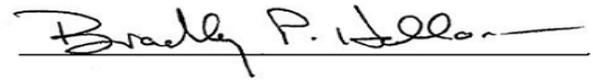
ROCHELLE WASTE DISPOSAL, L.L.C.,)	
)	
Petitioner,)	
)	
v.)	PCB 07-113
)	(Pollution Control Facility
THE CITY OF ROCHELLE, an Illinois)	Siting Appeal)
Municipal corporation, and THE ROCHELLE)	
CITY COUNCIL,)	
)	
)	
Respondents.)	

HEARING OFFICER ORDER

On November 14 and 15, 2007, all parties participated in a telephonic status conference with the hearing officer. Discussion centered on the petitioner's request to file a motion for leave to file a motion for summary judgment and a motion for summary judgment. Petitioner's request for leave to file a motion for summary judgment was denied. I informed the parties that the language in Section 101.516 of the Board's procedural rules does not allow me to grant petitioner's anticipated motion for leave to file a motion for summary judgment where a hearing in this matter has been held. The hearing was held on July 16, 2007. The petitioner represented that it intends to file a motion for leave to file a motion for summary judgment directed to the Board and a motion for summary judgment with the Board.

Further discussion included a request to revise the existing briefing schedule. It was agreed that respondents' opening brief and the amicus brief is now due to be filed on or before December 10, 2007. Petitioner's reply, if any, is now due to be filed on or before December 17, 2007. The mailbox rule will not apply to petitioner's reply brief.

IT IS SO ORDERED.

A handwritten signature in black ink that reads "Bradley P. Halloran". The signature is written in a cursive style and is positioned above a solid horizontal line.

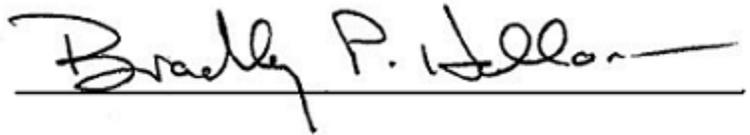
Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
100 W. Randolph Street
Chicago, Illinois 60601
312.814.8917

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, on November 20, 2007 to each of the persons on the attached service list.

It is hereby certified that a true copy of the foregoing order was hand delivered to the following on November 20, 2007:

John T. Therriault
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph St., Ste. 11-500
Chicago, Illinois 60601

A handwritten signature in black ink that reads "Bradley P. Halloran". The signature is written in a cursive style and is positioned above a solid horizontal line.

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