

ILLINOIS POLLUTION CONTROL BOARD  
February 8, 1990

IN THE MATTER OF: )  
 )  
PROPOSED SITE SPECIFIC RULE CHANGE )  
FOR THE CITY OF EAST MOLINE'S )  
PUBLIC WATER SUPPLY TREATMENT ) R87-35  
PLANT DISCHARGE: 35 ILL. ADM. )  
CODE 304.218 )  
 )

ORDER OF THE BOARD (by J. Anderson):

This matter comes before the Board on the Motion for an Expedited Decision filed by the City of East Moline (East Moline) on February 1, 1990. East Moline notes that since August 3, 1989, the record in this matter has been complete and awaiting decision by the Board. Further, East Moline notes that litigation on related issues involving the Board and East Moline continues. One such proceeding identified by East Moline, entitled East Moline v. Pollution Control Board and Environmental Protection Agency, No. 3-89-0804, is currently pending before the Illinois Appellate Court for the Third District. This appeal involves the Board's denial of East Moline's petition for variance relief in Board proceeding PCB 87-127. East Moline states that the Appellate Court has established a briefing schedule which, inter alia, requires East Moline's brief to be filed February 27, 1990.

East Moline states that the Board's decision in the instant case "would moot the issues in the other pending litigation including the appeal just described". East Moline apparently desires to request the Appellate Court to continue the briefing schedule pending the outcome of the instant case, and requests the Board to decide this case at its earliest convenience and to issue an order setting forth, to the extent possible, a schedule by which it intends to conclude this matter. No response to East Moline's motion has been received to date from the Illinois Environmental Protection Agency or the Illinois Department of Energy and Natural Resources, the other major participants in this proceeding.

Without passing judgment on the claimed benefits to be derived, the Board today will grant East Moline's motion. The Board is currently preparing an opinion and order in this matter. Barring unforeseen circumstances, such opinion and order will be placed on the decision agenda for the Board's March 8, 1990 meeting.

East Moline's motion is hereby granted.

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 \_\_\_\_\_ day of \_\_\_\_\_, 1990 by a vote of \_\_\_\_\_.

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