ILLINOIS POLLUTION CONTROL BOARD
February 14, 1973

KATHRYN O'CONNOR, ET AL	)	
	)	
	)	#73-3
v.	)	
	)	
CITY OF ROCKFORD,	)	
a Municipal Corporation	)	

ORDER OF THE BOARD (BY SAMUEL T. LAWTON, JR.):

This proceeding is a citizen's action seeking what is, in effect, a cease and desist order against the City of Rockford, preventing its operation of a proposed landfill in the unincorporated portion of Winnebago County, and for revocation of the permit issued to the City of Rockford by the Environmental Protection Agency.

On January 16, 1973, we entered an order directing the parties to file simultaneously briefs discussing the legal implications of the Supreme Court decision in case entitled Kathryn O'Connor v. City of Rockford, dated October 2, 1972, in Case #45021.

While the Environmental Protection Agency is not a party to this proceeding, we believe that any decision rendered in this case will have wide implications on the permit authority of the Agency and, accordingly, ask that it file an amicus curiae brief discussing the above case as it relates to the standard provisions of an Agency landfill permit requiring compliance with local zoning.

Should the Agency desire to be a party to this proceeding, we will entertain its petition to implead, if and when filed.

IT IS SO ORDERED.

I, Christan Moffett, Clerk of the Illinois Pollution Control Board, certify that the above Order was adopted on the 14th day of February, 1973, by a vote of 3 to 0.

Christan L. Moffett