

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

CATHERINE THOMAS, d/b/a THOMAS)
12th STREET DISPOSAL,)

Petitioner,)

v.)

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)

Respondent.)

PCB 10-52

RECEIVED
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OCT 25 2010
STATE OF ILLINOIS
Pollution Control Board

ORIGINAL

NOTICE

John T. Therriault
Assistant Clerk
Illinois Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

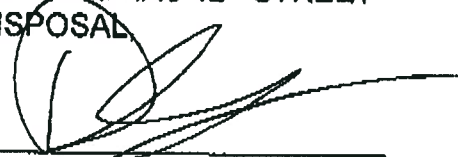
James G. Richardson
Assistant Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
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Springfield, Illinois 62794-9276

Michael D. Mankowski, Esq.
Assistant Attorney General
Environmental Bureau
500 South Second Street
Springfield, Illinois 62706

Carol Webb
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
Post Office Box 19274
Springfield, Illinois 62794-9274

PLEASE TAKE NOTICE that I have today caused to be filed a **MOTION TO CONSOLIDATE AND MOTION FOR LEAVE TO AMEND THE PLEADINGS** with the Illinois Pollution Control Board, copies of which are served upon you.

CATHERINE THOMAS,
d/b/a THOMAS 12th STREET
DISPOSAL



David K. Cox
Attorney for Petitioner

Dated: October 25, 2010
David K. Cox
Attorney for Petitioner
112 West Washington Street
Monticello, Illinois 61856
217-762-3800
217-762-3790

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**MOTION TO CONSOLIDATE AND MOTION FOR
LEAVE TO AMEND THE PLEADINGS**

NOW COMES the Petitioner CATHERINE THOMAS, d/b/a THOMAS 12th STREET DISPOSAL, by and through her attorney, DAVID K. COX, and files her MOTION TO CONSOLIDATE AND MOTION FOR LEAVE TO AMEND THE PLEADINGS, stating as follows:

1. A Petition for Review was filed in this case on April 12, 2010 and was accepted by the Illinois Pollution Control Board on April 15, 2010.
2. A Petition for Review was filed in Case No. 10-69 on June 7, 2010 and was accepted by the Illinois Pollution Control Board on June 17, 2010.
3. A Petition for Review was filed in Case No. 10-80 on July 19, 2010 and was accepted by the Illinois Pollution Control Board on August 5, 2010.
4. A Petition for Review was filed in Case No. 10-85 on August 5, 2010 and was accepted by the Illinois Pollution Control Board on August 19, 2010.
5. It would be most efficient in terms of time and resources for the Board to hear the four cases together since they involve common facts, common allegations, and the identical same parties and sites. Consolidation of the four cases will accomplish this.
6. Permitting the Petitioner to revise the technical arguments and integrate the arguments from the four appeals into a consolidated statement will narrow the issues and will make hearing on these issues more efficient, and will streamline the process of making an ultimate decision.
7. The Attorney General does not have an objection to this Motion to Consolidate and Motion for Leave to Amend the Pleadings.

WHEREFORE, the Plaintiff prays that her MOTION TO CONSOLIDATE AND MOTION FOR LEAVE TO AMEND THE PLEADINGS be granted.

CATHERINE THOMAS, d/b/a
THOMAS 12th STREET
DISPOSAL,
Plaintiff

By: 

David K. Cox
Attorney for Plaintiff

David K. Cox
Attorney at Law
Washington Plaza
112 West Washington Street
Monticello, Illinois 61856
217/762-3800
217/762-3790

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CATHERINE THOMAS, d/b/a THOMAS)
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 Petitioner,)
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 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

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CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the **MOTION TO CONSOLIDATE AND MOTION FOR LEAVE TO AMEND THE PLEADINGS** was served on:

John T. Therriault
 Assistant Clerk
 Illinois Pollution Control Board
 100 West Randolph Street, Suite 11-500
 Chicago, Illinois 60601

James G. Richardson
 Assistant Counsel
 Illinois Environmental Protection Agency
 1021 North Grand Avenue East
 Post Office Box 19276
 Springfield, Illinois 62794-9276

Michael D. Mankowski, Esq.
 Assistant Attorney General
 Environmental Bureau
 500 South Second Street
 Springfield, Illinois 62706

Carol Webb
 Hearing Officer
 Illinois Pollution Control Board
 1021 North Grand Avenue East
 Post Office Box 19274
 Springfield, Illinois 62794-9274

by placing the documents in an envelope, properly addressed and with proper postage affixed, and placing the envelope in the United States Mail box located in Monticello, Illinois, on the ____ day of October, 2010.

David K. Cox
 Attorney for Petitioner
 Washington Plaza
 112 W. Washington Street
 Monticello, Illinois 61856
 Telephone: 217/762-3800
 Facsimile: 217/762-3790

**COX LAW OFFICE
 WASHINGTON PLAZA
 112 WEST WASHINGTON STREET
 MONTICELLO, ILLINOIS 61856
 TELEPHONE 217-762-3800 * FAX 217-762-3790**

FACSIMILE TRANSMITTAL SHEET

TO: John T. Therriault
 Carol Webb

FROM: David K. Cox, Esq.

COMPANY: Illinois Pollution Control Board

DATE: 10/25/2010

FAX NUMBER: 312-814-3669
 217-524-8508

TOTAL NO. OF PAGES INCLUDING COVER: 5

PHONE NUMBER: 312-814-3629
 217-524-8509

SENDER'S REFERENCE NUMBER: PCB 10-52

RE: Thomas 12th Street Disposal

YOUR REFERENCE NUMBER:

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

NOTES/COMMENTS:

NOTICE: This facsimile contains PRIVILEGED AND CONFIDENTIAL INFORMATION intended only for the use of the addressee named above. If you are not the intended recipient of this facsimile, or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination or copying of this facsimile is strictly prohibited. If you have received this facsimile in error, please immediately notify us by telephone and return the original facsimile to us at the above address via the U.S. Postal Service. Thank you.