

ILLINOIS POLLUTION CONTROL BOARD
November 4, 2010

CATHERINE THOMAS, d/b/a THOMAS)	
12TH STREET DISPOSAL,)	
)	
Petitioner,)	
)	
v.)	PCB 10-52
)	PCB 10-69
ILLINOIS ENVIRONMENTAL)	PCB 10-80
PROTECTION AGENCY,)	PCB 10-85
)	(Permit Appeals-Land)
Respondent.)	(cons.)

ORDER OF THE BOARD (by C.K. Zalewski):

On October 25, 2010, Catherine Thomas, d/b/a Thomas 12th Street Disposal (Thomas) filed a motion to consolidate (Mot.) four previously-filed permit appeals concerning Thomas' closed landfill located in Vermilion County. These appeals, all filed between April and August 2010, are PCB 10-52, 10-69, 10-80, and 10-85.¹

The substance of Thomas motion is that:

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.

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.

The Attorney General does not have an objection to this Motion to Consolidate and Motion for Leave to Amend the Pleadings. Mot. at 1.

In reviewing the dockets of the four appeals, the Board observes that Thomas has filed an open waiver in each of them. Given all of the circumstances here, the Board grants

¹ The Board notes that this motion was filed only in docket PCB 10-52, and bears the filing dates but not the number of the other three dockets with which Thomas requests that docket to be consolidated. It is customary to file consolidation motions in each docket for which consolidation is requested, and to list the docket numbers of all dockets to be consolidated in the body and/or caption of the motion. As Thomas intent here is clear, the Board is not requiring correction of the filing irregularity.

Thomas' unopposed motion to consolidate the pending permit appeals and for leave to amend the pleadings. Future filings must bear the caption contained on this order.

IT IS SO ORDERED.

I, John Therriault, Assistant Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on November 4, 2010, by a vote of 5-0.

A handwritten signature in black ink that reads "John T. Therriault". The signature is written in a cursive style with a long horizontal flourish extending to the right.

John Therriault, Assistant Clerk
Illinois Pollution Control Board