

ILLINOIS POLLUTION CONTROL BOARD
October 25, 1990

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|------------------------------------|---|-------------------|
| ERWIN HEDIGER, HORACE FILE, |) | |
| SUSIE ARMBRUSTER, ARLIN WOKER, |) | |
| LAYTON PEDDICORD, ARLINE DAIL, |) | |
| BURNELL NEUMANN, LAVERLE EAKLE, |) | |
| LYNN SCHMOLLINGER, HOWARD PRINGLE, |) | |
| REID BINGHAM, AGNES PRINGLE, |) | |
| CRAIG WOKER, MRS. OJ DAIL, |) | |
| JEANETTE TIFT, GLEN MILES |) | |
| BILL GOODALL, DONALD SPRADLING |) | |
| HOLLIE WILLMANN, CHARLES H. FUNK, |) | |
| CAROLYN SPRADLING, PAMELA FUNK, |) | |
| LOLA BROAN, JAMES DARNELL |) | |
| LEROY WIESE, LAMOINE BROWN, |) | |
| MIKE EATON, JIM STOECKLIN, |) | |
| BOB BOWEN, MARY BLOEMKER, |) | |
| DON CORE, ELDON BLOEMKER, |) | |
| FRANCIS RINDERER, DANNY KUHN, |) | |
| MRS. RALPH BAUMANN, PAMELA |) | |
| BRYANT, LEORA LEISHER, |) | |
| MR. RALPH BAUMANN, JIM ZEBB, |) | |
| MYRNA BRUCE, RICHARD ARMBRUSTER, |) | |
| JOHN LANGFORD, MRS. PETTY |) | |
| DARNELL and BOND COUNTY |) | |
| CONCERNED CITIZENS, |) | |
| |) | |
| Petitioners, |) | |
| |) | |
| v. |) | PCB 90-163 |
| |) | (Landfill Siting) |
| D & L LANDFILL, INC., BOND |) | |
| COUNTY BOARD OF SUPERVISORS, |) | |
| COUNTY OF BOND, STATE OF ILLINOIS, |) | |
| |) | |
| Respondents. |) | |

ORDER OF THE BOARD (by B. Forcade):

On August 30, 1990, the Board issued an order setting this matter for hearing and directing the Bond County Board to submit the record in this matter according to the procedures found in Section 105.102(a)(4) of the Board's Procedural Rules and Rules 321 through 324 of the Illinois Supreme Court Rules. On September 24, 1990, the Board received a Certification of Record and various documents which purportedly comprise the County Board Record. The Board finds that the record submitted by the Bond County Board is not in compliance with the Order of August 30, 1990, particularly with respect to Supreme Court Rule 324.

The certification did not specifically list all enclosures, and the record was not sequentially numbered. Various documents and exhibits were not clearly labelled or identified as to their source.

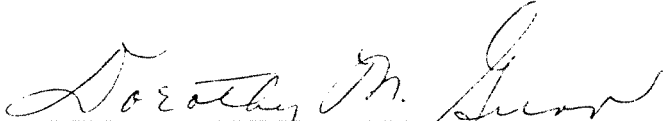
As an example of the confusion in the record, Bond County Board Exhibit No. 3 (9 pages) also appears to be the same as Applicant's Exhibits Nos. 3 through 11 (1 page each). The single document is not labelled but appears to fit either category. Additionally, the Board can not determine whether Bond County Concerned Citizens' Exhibit 2, a large group exhibit, is accurate or complete. The Board is unable, therefore, to ascertain whether the record is complete and whether each page of a given document is included.

The Board has attempted to identify and organize the various documents submitted according to the Exhibit lists found in the transcripts of the County Board's hearings. The Board is unable to evaluate the completeness of the record. The Board also finds that the numerous photo-copies of photographs as part of the record were wholly unacceptable. What appear to be the original photographs have now been submitted to the Board.

The parties are invited to examine the record before the Board expeditiously to correct or supplement the record on or before November 7, 1990. In the absence of such actions by the parties the Board will complete its review in the matter based on the Board's organization of the materials received.

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 25th day of October, 1990 by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board