

ILLINOIS POLLUTION CONTROL BOARD  
March 20, 2003

WASTE MANAGEMENT OF ILLINOIS, )  
INC., )  
 )  
Petitioner, )  
 ) PCB 03-104  
v. ) (Pollution Control Facility Siting Appeal)  
 )  
COUNTY BOARD OF KANE COUNTY, )  
ILLINOIS, )  
 )  
Respondent. )

ORDER OF THE BOARD (by N.J. Melas):

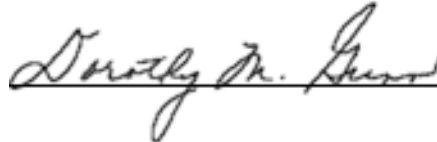
In a Board order dated February 20, 2003, the Board denied a motion by the Village of South Elgin (South Elgin) to intervene in this pollution control facility siting appeal. In the February 20, 2003 order, the Board noted that South Elgin could otherwise participate in this proceeding through an *amicus curiae* brief pursuant to Section 101.628(c) and in accordance with Section 101.110(c) of the Board procedural rules. 35 Ill. Adm. Code 101.628(c), 101.110(c). On March 14, 2003, the South Elgin requested leave to participate in this proceeding and to file an *amicus curiae* brief.

The Board grants South Elgin leave to file an *amicus curiae* brief in this matter. The Board notes that pursuant to Section 101.110(c), any *amicus curiae* brief must consist of argument only and may not raise new facts that are not already in evidence in this proceeding. 35 Ill. Adm. Code 101.110(c).

IT IS SO ORDERED.

Member D.C. Karpel abstained.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on March 20, 2003, by a vote of 6-0.



Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board