

ILLINOIS POLLUTION CONTROL BOARD
March 6, 2003

GERE PROPERTIES, INC.,)	
)	
Petitioner,)	
)	
v.)	PCB 02-201
)	(Third-Party Pollution Control Facility
JACKSON COUNTY BOARD and)	Siting Appeal)
SOUTHERN ILLINOIS REGIONAL)	
LANDFILL, INC.,)	
)	
Respondents.)	

ORDER OF THE BOARD (by T.E. Johnson):

The Fifth District of the Illinois Appellate Court has remanded to the Board a motion to supplement the record on appeal in Gere Properties, Inc. v. Illinois Pollution Control Board, Jackson County Board, and Southern Illinois Regional Landfill, Inc., No. 5-02-0700. For the reasons below, the Board grants the motion and directs the Clerk of the Board to certify and transmit to the court the supplemental record.

By way of background, the Board affirmed the decision of the Jackson County Board (Jackson County) to approve the siting of Southern Illinois Regional Landfill, Inc.'s proposed landfill expansion. See Gere Properties, Inc. v. Jackson County Board and Southern Illinois Regional Landfill, Inc., PCB 02-201 (Sept. 5, 2002). Gere Properties, Inc. (Gere) had filed a third-party petition with the Board challenging Jackson County's decision on one of the nine landfill siting criteria specified in the Environmental Protection Act (415 ILCS 5/39.2(a), 40.1(b) (2002)). After the Board affirmed Jackson County's siting approval, Gere appealed the Board's decision to the appellate court.

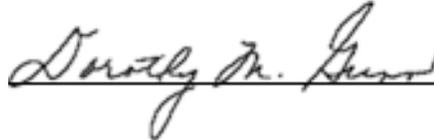
On January 23, 2003, Gere filed with the court a motion to supplement the record on appeal. On February 18, 2003, the Board received from the court a February 14, 2003 order of the court and a copy of Gere's motion. By the order, the court remanded the motion to the Board for the Board to rule on the motion under Supreme Court Rule 329, which allows for omissions or inaccuracies in records on appeal to be corrected.

In its motion to supplement the record on appeal, Gere states that various pages from Jackson County's siting proceeding record are either not present in, or not clearly reproduced in, the record on appeal. Motion at 1. Gere asks that the record on appeal be supplemented with copies of the missing pages and clear copies of the illegible pages, which supplemental pages Gere identifies in and attaches to its motion. *Id.* at 2-3. Gere further states that it cited to some of these supplemental pages in its opening brief filed with the court. *Id.* at 1. No response to the motion has been filed either with the court or the Board.

The Board grants Gere's motion to supplement the record on appeal. In accordance with Supreme Court Rule 329, the Board directs the Clerk of the Board to certify and transmit to the court, as a supplemental record, those pages identified in and attached to Gere's motion.

IT IS SO ORDERED.

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

A handwritten signature in cursive script, reading "Dorothy M. Gunn", written over a horizontal line.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board