ILLINOIS POLLUTION CONTROL BOARD
October 2, 2014

CLINTON LANDFILL, INC. ,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 15-60
	)	(Permit Appeal - Land)
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,	)	
	)	
Respondent.	)	

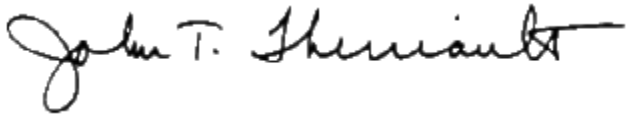
ORDER OF THE BOARD (by C.K. Zalewski):

On August 28, 2014, Clinton Landfill, Inc. (CLI) timely filed a petition asking the Board to review a July 31, 2014 determination of the Illinois Environmental Protection Agency (Agency). *See* 415 ILCS 5/40(a)(1) (2012); 35 Ill. Adm. Code 101.300(b), 105.206. The determination concerns CLI's landfill No. 3 (the landfill) located in Clinton, DeWitt County. Accompanying CLI's petition for review was a motion to stay the effectiveness of contested permit conditions. On September 4, 2014, the Board accepted the petition for review but withheld ruling on the motion for stay. On September 16, 2014, the Agency filed a response in opposition to CLI's motion. On September 22, 2014, CLI filed a motion to withdraw motion for order regarding stay.

While the Board notes that Section 101.500(d) of the Board's procedural rules (35 Ill. Adm. Code 101.500(d)) provides for 14 days after service of a motion for an opposing party to respond, the Board finds that CLI's motion makes moot the Agency's response in opposition to CLI's motion for stay. Therefore, the Board grants CLI's motion to withdraw.

IT IS SO ORDERED.

I, John T. Therriault, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on October 2, 2014, by a vote of 4-0.



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John T. Therriault, Clerk
Illinois Pollution Control Board