

ILLINOIS POLLUTION CONTROL BOARD
June 30, 1988

WASTE MANAGEMENT OF ILLINOIS,) AC 88-54
INC.,)
)
Respondent.)

ORDER OF THE BOARD (by J. Anderson):

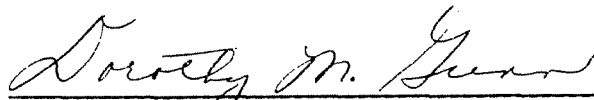
This administrative citation was issued by the Tazewell County Health Department on May 17, 1988. On June 16, Waste Management of Illinois, Inc. (WMI) entered a "special and limited appearance" for the purpose of objecting to allegedly improper service and resulting lack of Board jurisdiction. WMI moves the Board to dismiss the citation. WMI also filed a petition for review of this citation, to protect its rights while pursuing its jurisdictional challenge. WMI requests a stay of the appeal pending disposition of the motion to dismiss. WMI additionally noted its willingness "to participate in further briefing or discussion of the substantive and/or procedural issues raised".

Tazewell County has not as yet filed a response.

The Board deems it appropriate at this time to enter a stay of the appeal, and to reserve ruling on the motion to dismiss until a response has been received by the County. After receipt of the response the Board will determine whether additional briefing is in order. The County is directed to file its response no later than July 11, 1988 to allow the Board to again consider this matter at its July 13, 1988 meeting.

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 30th day of June, 1988, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board