

ILLINOIS POLLUTION CONTROL BOARD
April 17, 2014

TIMBER CREEK HOMES, INC.,)	
)	
Petitioner,)	
)	
v.)	PCB 14-99
)	(Pollution Control Facility
VILLAGE OF ROUND LAKE PARK,)	Siting Appeal)
ROUND LAKE PARK VILLAGE BOARD)	
and GROOT INDUSTRIES, INC.,)	
)	
Respondent.)	

ORDER OF THE BOARD (by D. Glosser):

On January 10, 2014, Timber Creek Homes, Inc. (TCH) filed a petition (Pet.) asking the Board to review a December 12, 2013 decision of the Village of Round Lake Park (Village) and the Round Lake Park Village Board (Village Board). That decision granted siting, with conditions, for a waste transfer station to Groot Industries, Inc. (Groot). *See* 415 ILCS 5/40.1(a) (2012); 35 Ill. Adm. Code 101.300(b), 107.204. The transfer station is located at 201 Porter Drive in Round Lake Park, Lake County.

On April 8, 2014, Groot filed a motion asking the Board for an expedited review of a hearing officer order entered on April 7, 2014. On April 14, 2014, TCH filed a response to the motion. On April 14, 2014, Groot filed a reply.

The hearing officer on April 7, 2014, entered an order in response to the Board's April 3, 2014 order. The hearing officer stated:

I interpret the Board's ruling that the parties may proceed with discovery that is the subject of TCH's Request to Admit. I therefore orally ruled during the telephonic status conference on April 3, 2014 that TCH may pursue discovery regarding entries reflected in the Village Board's minutes that was the subject of TCH's Request to Admit as those documents were provided or gained during the course of discovery. The discovery, however, must only pertain to the waste transfer station that is the subject of the above-captioned appeal. Further, any discovery request is limited to relevant information and information calculated to lead to relevant information, excluding any privileged information.

The Board sustains the hearing officer's interpretation of the Board's April 3, 2014 order and denies Groot's motion. The Board affirms the hearing officer's April 7, 2014 order.

IT IS SO ORDERED.

I, John T. Therriault, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on April 17, 2014 by a vote of 4-0.

A handwritten signature in black ink that reads "John T. Therriault". The signature is written in a cursive style with a long horizontal stroke at the end.

John T. Therriault, Clerk
Illinois Pollution Control Board