

ILLINOIS POLLUTION CONTROL BOARD
July 7, 1995

WEST SUBURBAN RECYCLING)	
and ENERGY CENTER,)	
)	
Petitioner,)	
)	PCB 95-119
v.)	(Permit Appeal-Land)
)	
ILLINOIS ENVIRONMENTAL)	PCB 95-125
PROTECTION AGENCY,)	(Permit Appeal-Air)
)	(Ninety-Day Extensions)
Respondent.)	(Consolidated)

ORDER OF THE BOARD:

By order of April 6, 1995, pursuant to P.A. 88-690, the Board granted West Suburban Recycling and Energy Center (West Suburban) an extension of time through July 2, 1995 in which to file an appeal of the February 10, 1995 Illinois Environmental Protection Agency (Agency) denial of its permit applications. On July 3, 1995, West Suburban, filed two petitions for permit review. These appeals were docketed as PCB 95-119 and PCB 95-125.

PCB 95-119 and 95-125 each involve West Suburban's proposed resource recovery facility located on portions of a 36-acre site in the Villages of Summit and McCook, Cook County Illinois. PCB 95-119 involves the Agency February 27, 1995 denial a solid waste management development permit, while PCB 95-125 involves the simultaneous denial of an air quality construction permit. As the permit appeals involve the same site, and petitioner has waived the decision deadline in each case up to December 8, 1995, the Board on its own motion consolidates these cases in the interest if administration economy.

These matters are accepted for hearing. The hearing must be scheduled and completed in a timely manner, consistent with Board practices and the applicable statutory decision deadline, or the decision deadline as extended by a waiver (petitioner may file a waiver of the statutory decision deadline pursuant to 35 Ill. Adm. Code 101.105). The Board will assign a hearing officer to conduct hearings consistent with this order, and the Clerk of the Board shall promptly issue appropriate directions to that assigned hearing officer.

The assigned hearing officer shall inform the Clerk of the Board of the time and location of the hearing at least 40 days in advance of hearing so that public notice of hearing may be published. After hearing, the hearing officer shall submit an exhibit list, a statement regarding credibility of witnesses and all actual exhibits to the Board within five days of the hearing. Any briefing schedule shall provide for final filings as

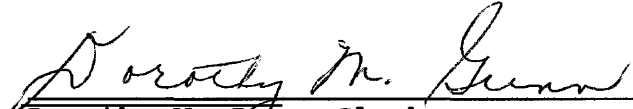
expeditiously as possible and, in time-limited cases, no later than 30 days prior to the decision due date, which is the final regularly scheduled Board meeting date on or before the statutory or deferred decision deadline.

If after appropriate consultation with the parties, the parties fail to provide an acceptable hearing date or if after an attempt the hearing officer is unable to consult with the parties, the hearing officer shall unilaterally set a hearing date in conformance with the schedule above. The hearing officer and the parties are encouraged to expedite this proceeding as much as possible. The Board notes that Board rules (35 Ill. Adm. Code 105.102) require the Agency to file the entire Agency record of the permit application within 14 days of notice of the petition.

This order will not appear in the Board's opinion volumes.

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 7th day of July, 1995, by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board