

ILLINOIS POLLUTION CONTROL BOARD
February 17, 1994

LAND AND LAKES COMPANY, JMC,)	
OPERATIONS, INC., and NBD)	
TRUST COMPANY OF ILLINOIS)	
AS TRUSTEE UNDER TRUST NO.)	
2624EG,)	
)	
Petitioner,)	
)	
v.)	PCB 91-7
)	PCB 92-25
)	(Landfill Siting)
)	(Consolidated)
VILLAGE OF ROMEOVILLE,)	
)	
Respondent,)	
)	
COUNTY OF WILL,)	
)	
Intervenor.)	

ORDER OF THE BOARD (by C. A. Manning):

This matter is before the Board on petitioners' motion for release of record filed on February 2, 1994. In that motion, petitioners originally requested that the Board release the record to one of the petitioners, the Land & Lakes Company. On February 15, 1994, the County of Will filed a response to the motion to release objecting to the Board's release of the record to Land & Lakes; the county supports releasing the record instead to the Village of Romeoville. On February 16, 1994, the Board received petitioners and respondent's joint motion to supplement motion for release. Petitioners and respondent now agree that it would be appropriate to release the record to the Village in lieu of the Land & Lakes Company.

On December 2, 1993, the Board issued an order acknowledging the appellate court decision remanding this matter directly to the Village. In support of the supplemental motion, petitioner and respondent state that the record is critical for the Village to comply with the appellate court's remand. The parties argue that absent the record, the Village will be unable to comply with the court's order. In addition, the parties note that the Village has scheduled hearings for March 22 and 31.

The State Records Act requires the maintenance of records except as provided by law (5 ILCS 160/et. seq.). Here, the Board concludes that release of the records in this on-going matter is necessary for the Village to comply with the appellate court order. Accordingly, the Board hereby grants petitioner's supplemental motion. The parties are given leave to contact the

Clerk of the Board to arrange procedures for the delivery of the record. The parties shall bear the cost of delivery.

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 17th day of February, 1994, by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board