

ILLINOIS POLLUTION CONTROL BOARD
January 24, 1991

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

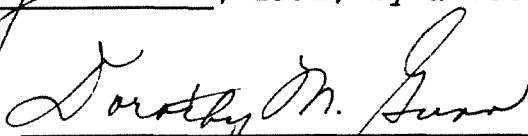
ORDER OF THE BOARD (by B. Forcade):

This matter comes before the Board on an motion for leave to intervene filed on January 18, 1991 by Paul and Ann Jurca, John and Marlene Jurca, Kelby and Mary Briddick, Lawrence and Diane Kollins, James and Ann Dralle, Robert and Jean Hastert, Robert C. and Doris Hastert, Blanche Hassert, and Fillup, Inc. (d/b/a White Fence Farm, Inc.) (hereinafter collectively known as "Jurca"). In the alternative, Jurca requests leave to cross appeal on the basis of statutory criteria found in Ill. Rev. Stat., ch. 111 1/2, par. 1039.2. On January 18, 1991 Land and Lakes Company, JMC Operations, Inc. and NBD Trust Company of Illinois, as Trustee under Trust No. 2624EG, filed an objection to the motion to intervene.

Jurca's motion is denied. It is well settled that the objectors do not have standing to intervene or cross appeal in these circumstances, where siting approval has been denied. Waste Management of Illinois, Inc. v. Pollution Control Board, 160 Ill. App. 3d 434, 513 N.E.2d 592, 598 (2d Dist. 1987); McHenry County Landfill, Inc. v. Environmental Protection Agency, 154 Ill. App. 3d 89, 506 N.E.2d 372, 376 (2d Dist. 1987); see also Ill. Rev. Stat. ch. 111 1/2, par. 1040.1(b). Jurca, however, may file an amicus curiae brief in this matter.

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 24th day of January, 1991, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board