

ILLINOIS POLLUTION CONTROL BOARD
April 11, 1991

CLEAN QUALITY RESOURCES, INC.,)
)
Petitioner,)
)
v.) PCB 90-216
) (Landfill Siting)
)
MARION COUNTY BOARD,)
)
Respondent.)

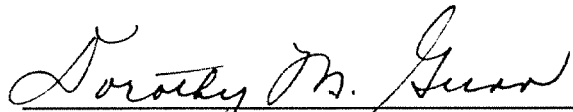
ORDER OF THE BOARD BY (M. Nardulli):

This proceeding concerns Clean Quality Resources, Inc. (CQR) petition for site location suitability approval for an aqueous waste treatment facility in Marion County pursuant to Section 39.2 of the Environmental Protection Act (Act). (Ill. Rev. Stat. (1989) ch. 111 1/2, par. 1001 et. seq.) The Marion County Board (MCB) originally found that CQR had not met its burden on two criteria but failed to address the remaining applicable criteria. On February 28, 1991, the Board remanded this case back to the MCB for a complete determination on all the applicable criteria of Section 39.2. CQR appealed the Board's order to the Illinois Appellate Court, Fifth District, on March 11, 1991. That appeal is still pending at this time.

On April 3, 1991, the Marion County Clerk filed with the Board a certified copy of a Resolution adopted by the MCB on Tuesday, March 26, 1991. The Resolution contained the complete vote of the MCB on the petition for site approval including five new votes on the criteria. The MCB found that in addition to the two initial criteria, CQR had not met its burden on four other criteria. Because there are now five additional potential issues in this matter, to preserve its rights CQR needs to file a new petition for review with the Board pursuant to Section 40.1 of the Act and Part 101 of the Board's procedural rules (35 Ill. Adm. Code 101). Because the remand was not the fault of CQR, the filing fee will be waived. This docket remains closed.

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 11th day of April, 1991, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board