

ILLINOIS POLLUTION CONTROL BOARD
September 17, 1987

A.R.F. LANDFILL CORPORATION,)
)
 Petitioner,)
)
 v.) PCB 87-34
)
 VILLAGE OF ROUND LAKE PARK)
 AND LAKE COUNTY,)
)
 Respondent.)

ORDER OF THE BOARD (by J. Marlin):

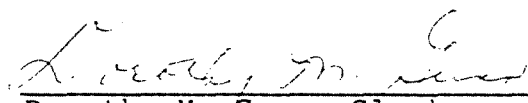
This matter comes before the Board on an Application for Stay filed by the Village of Round Lake Park (Village) on September 10, 1987. The Village is requesting that the Board stay the effect of its Order of July 16, 1987 until after the decision of the Appellate Court of Illinois, Second District, in Case # 87-732, which is an appeal of the Board's July 16 Order.

In its Order of July 16, the Board remanded A.R.F. Landfill Corporation's (A.R.F.) landfill siting application back to the Village for "hearing and decision pursuant to Section 39.2 of the Act". Subsequently, A.R.F. and the Village filed appeal and cross-appeal, respectively, with the Second District seeking review of the Board's Order. Those appeals are currently pending. The Village is requesting that the Order be stayed so as to avoid the time and expense of holding a hearing which may later be deemed moot or void by a decision of the Appellate Court.

The Board hereby denies the Village's Application for Stay. The Board directs the Village to seek such a stay from the Appellate Court.

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 September, 1987, by a vote of 6-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board