

ILLINOIS POLLUTION CONTROL BOARD  
June 29, 1984

WASTE MANAGEMENT, INC.,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 84-45
	)	PCB 84-61
ILLINOIS ENVIRONMENTAL	)	PCB 84-68
PROTECTION AGENCY,	)	(Consolidated)
	)	
Respondent.	)	

ORDER OF THE BOARD (by J. Anderson)

PCB 84-45 is an appeal of conditions contained in a Groundwater Permit issued by the Agency for Waste Management's ESL site in Elmwood. PCB 84-61 is an appeal of the denial of an operating permit for Trench 11 at the same site. PCB 84-68 is an appeal of about 599 supplemental permits for hazardous waste streams to be disposed of in Trench 11.

On June 14, Waste Management moved for consolidation only of the latter two appeals, while the Agency moved for consolidation of all three cases on June 15. Responses filed by the parties on June 25 and June 18, respectively, indicate opposition to the other's position respecting PCB 84-45.

The Board hereby orders consolidation of PCB 84-45, 84-61 and 84-68. One of the reasons cited by the Agency for denial of permits in the latter two cases is, as related to the "G" series wells, failure to sample the wells as required by the permit which is the subject of the PCB 84-45 appeal of permit conditions. The Board further notes that some of the conditions challenged in PCB 84-45 are special conditions 5-9 of attachment B which concern Trench 11. Efficient adjudication of all claims would be served by contemporaneous presentation to the Board of the records in the permit conditions appeal and the permit denial appeals. In the interest of development of an orderly record, the Board directs that, at hearing, the PCB 84-45 appeal be addressed first.

Finally, on June 18 the Agency moved for leave to file the voluminous record in PCB 84-68 on June 29, which motion was opposed by a June 26 filing. The motion is granted.

IT IS SO ORDERED.

Board Member of Theodore Meyer dissented.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 27<sup>th</sup> day of April, 1984 by a vote of 4-1.

Dorothy M. Gunn  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board