

ILLINOIS POLLUTION CONTROL BOARD
October 9, 1986

LIDLAW WASTE SYSTEMS, INC.,)
a Delaware Corporation,)
)
Petitioner,)
)
v.) PCB 86-149
)
MCHENRY COUNTY BOARD,)
)
Respondent.)
)
and)
)
KAREN BURNS, KENNETH BURNS,)
JEAN-ETTE SCHOBBER, THOMAS R. SCHOBBER,)
THE VILLAGE OF ALGONQUIN AND THE)
VILLAGE OF LAKE IN THE HILLS,)
)
Cross-Petitioners,)
)
and)
)
MCHENRY COUNTY BOARD AND)
LIDLAW WASTE SYSTEMS, INC.,)
)
Cross-Respondents.)

ORDER OF THE BOARD (by J. Anderson):

On October 7, McHenry County filed a motion for extension of time in which to file its record. Laidlaw filed a response in opposition on October 9, 1986. The record is due to be filed October 10, and the County seeks extension of time until October 31. In support of its motion, the County states that the record is voluminous, noting by way of example that, hearings were conducted over a 26 day period. The County additionally states that the sole attorney capable of preparing the record has numerous other duties, and is unavailable for various reasons October 13 through 17.

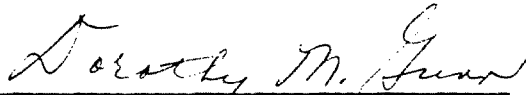
Laidlaw in its response states that the County has known that this appeal would proceed since August 13, that the County has had adequate time to prepare the record, and that the record is fully compiled. However, the Board places greater weight on the statement of the person in charge of preparation of the record.

The Board appreciates the County's manpower problem, and grants the requested extension through October 31. However, the Board notes that hearing is scheduled for November 7, and does not wish prejudice to result by reason of the short time period between the record's filing and the hearing. Accordingly, the County is requested to file the record as much in advance of October 31 as is practicable. The Hearing Officer is directed to commence hearing on November 7. However, upon the request of any party asserting preparation difficulties, the Hearing Officer is authorized to continue the hearing on the record to a date no later than November 14.

IT IS SO ORDERED.

J. T. Meyer dissented.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 9th day of October, 1986, by a vote of 5-1.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board