

ILLINOIS POLLUTION CONTROL BOARD  
October 6, 1994

SOLVENT SYSTEMS INTERNATIONAL,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 94-179
	)	(Land Siting Review)
VILLAGE OF HAMPSHIRE,	)	
	)	
Respondent.	)	

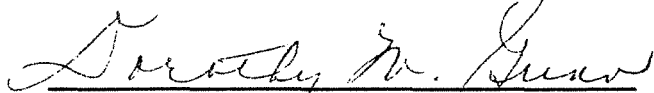
ORDER OF THE BOARD (by J. Theodore Meyer):

This matter is before the Board on respondent the Village of Hampshire's August 31, 1994 motion to dismiss. The Village seeks to dismiss this proceeding, arguing that the Board has no authority to review the findings and decision of the local decisionmaker. In essence, the Village contends that the Board cannot review the conditions imposed upon the grant of siting approval. Petitioner Solvent Systems International, Inc. (Solvent Systems) has not responded to the motion.

The motion to dismiss is denied as untimely. Section 101.243(a) of the Board's procedural rules provides that all motions to dismiss must be filed within 21 days after service of the challenged document. Section 101.243(b) requires that all motions challenging the jurisdiction of the Board must be filed prior to the filing of any other document by the moving party. The Village previously filed motions on July 19, 1994 and July 22, 1994. Under either of these rules, the Village's motion to dismiss is untimely.

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 6<sup>th</sup> day of October, 1994, by a vote of 6-0.

  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board