

ILLINOIS POLLUTION CONTROL BOARD
February 25, 1993

PEOPLE OF THE STATE OF)
ILLINOIS AND THE COUNTY OF)
GRUNDY, ILLINOIS EX REL. GRUNDY)
COUNTY STATE'S ATTORNEY)
DAVID W. NEAL,)
)
Petitioner,)
)
v.) PCB 92-207
) (Landfill Siting Review)
ENVIROTECH, INC., AN)
ILLINOIS CORPORATION, AND)
THE CITY OF MORRIS, ILLINOIS)
)
Respondent,)

ORDER OF THE BOARD (by J. C. Marlin):

On February 18, 1993, the County of Grundy (County) and Envirotech filed a joint stipulation and motion to dismiss. Additionally, the parties filed a settlement agreement with their motion. The motion states that the matters in dispute are compromised and resolved. (Mot. at 2.) The settlement agreement specifies future conduct the parties will pursue in regard to this matter and specifies certain financial obligations that each party will assume.

The Board accepts the motion insofar as it requests the Board to dismiss this action. In all other respects, the Board finds inadequate basis to compel further conduct by the parties or to adjudicate financial obligations, via an order of this Board. (5027 Corp. v. City of Moline (February 6, 1992) PCB 91-224 at 1, 130 PCB 63.) In so saying, the Board is not suggesting that the agreement is not binding or that the parties are not free to pursue mutually agreeable devices outside of the Board order.

If the parties find the Board's action an unacceptable resolution, they are free to file a motion to vacate within 14 days of the date of this order. This action is dismissed.

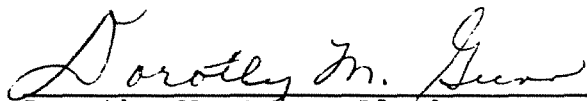
IT IS SO ORDERED.

B. Forcade abstained.

0139-0603

Section 41 of the Environmental Protection Act (415 ILCS 5/41 (1992).) provides for appeal of final orders of the Board within 35 days.¹ The rules of the Supreme Court of Illinois establish filing requirements. (But see also 35 Ill. Adm. Code 101.246, Motions for Reconsideration, and Castenada v. Illinois Human Rights Commission (1989), 132 Ill. 2d 304, 547 N.E.2d 437.)

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 25th day of February, 1993, by a vote of 5-0.


 Dorothy M. Gunn, Clerk
 Illinois Pollution Control Board

¹The Act was previously codified at 1991, Ill.Rev.Stat. ch. 111 1/2 par. 1001 et. seq.