

ILLINOIS POLLUTION CONTROL BOARD
February 3, 1994

PEKIN METRO LANDFILL,)
)
 Petitioner,)
)
 v.) PCB 92-212
) (Permit Appeal)
)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

ORDER OF THE BOARD (by M. McFawn):

On January 13, 1994, Pekin filed a motion for a 120-day extension of the briefing schedule in each of two permit appeals, PCB 92-212 and PCB 93-1. In each case, the briefing schedule had been previously extended 60 days by Board orders of August 5, 1993, September 23, 1993, and November 18, 1993. The instant requests were accompanied by 120-day waivers of the decision deadlines, i.e., until November 28, 1994. The Illinois Environmental Protection Agency (Agency) has not filed a response.

As grounds for each of the prior three extensions, Pekin assured the Board that settlement negotiations were ongoing between Pekin, the intended purchaser of the landfill, the Agency and the Office of the Attorney General and that, if successful, settlement would result in dismissal of the two pending permit appeals. In its November motion, Pekin informed the Board that the parties had reached agreement on all substantive issues, but the Office of the Attorney General was still drafting the proposed consent order.

Pekin now states that since the Board's order of November 18, 1993, the parties have negotiated and agreed upon the language of the consent order and they are currently awaiting final approval from the Office of the Attorney General.

The motion for extension is granted. Petitioner's closing brief is now due on or before May 12, 1994.

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 3rd day of February, 1994, by a vote of 7-0.

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