

ILLINOIS POLLUTION CONTROL BOARD
October 16, 1992

LEROY BROWN AND SONS, INC.,)
)
 Petitioner,)
)
 v.) PCB 92-132
) (Landfill Siting Review)
)
COUNTY BOARD OF MCDONOUGH)
COUNTY, ILLINOIS,)
)
 Respondent.)

ORDER OF THE BOARD (by G. T. Girard):

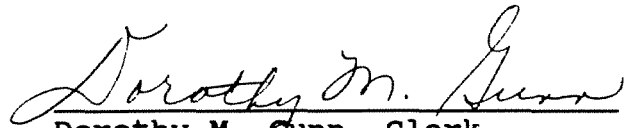
On October 2, 1992, the respondent filed a motion to dismiss. On October 14, 1992, the Board received from the petitioner a motion "to Declare Siting to be 'Deemed Approved' or, Alternatively, Motion to Strike, or Alternatively, Motion to Take with the Case". (Pet. motion at 1.)

The Board notes that, as petitioner properly points out, the motion by respondent was not supported by affidavit. Thus, the Board lacks sufficient information at this time to rule on the issues presented in the motions. Therefore, the Board denies all the motions filed by the parties. The parties are free to reintroduce these issues at hearing on this matter.

In addition to the above motions on October 15, 1992, the county filed a motion to file the record instanter. That motion is hereby granted.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, do hereby certify that the above order was adopted on the 16th day of October, 1992, by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board