

RECEIVED
CLERK'S OFFICE

JUN 26 2007

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
STATE OF ILLINOIS
Pollution Control Board

ROCHELLE WASTE DISPOSAL, L.L.C.,)
)
Petitioner,)
)
PCB 07-113
THE CITY OF ROCHELLE, an ILLINOIS)
MUNICIPAL CORPORATION and THE)
ROCHELLE CITY COUNCIL,)
)
Respondents.)

CONCERNED CITIZENS OF OGLE)
COUNTY,)
)
Petitioner,)
)
PCB 07-116
THE CITY OF ROCHELLE, the CITY)
COUNCIL OF THE CITY OF ROCHELLE,)
ILLINOIS and ROCHELLE WASTE)
DISPOSAL, L.L.C.,)
)
Respondents.)

**MOTION FOR EXTENSION OF TIME FOR FILING RECORD
AND FOR LEAVE TO FILE REDUCED NUMBER OF COPIES**

Respondent THE CITY OF ROCHELLE ("City"), by its attorney, moves for an extension of time in which to file the record in these proceedings, and for leave to file a reduced number of copies of the record, and for leave to file only one set of eleven (11) boxes of copies of correspondence between the Operator and the Illinois Environmental Protection Agency, which was filed as part of the application, and in support thereof alleges:

1. On June 7, 2007, the Board issued its order accepting and consolidating these appeals, and directing the City to file the entire record of its proceedings within 21 days. The Board's order was received by the Rochelle City Clerk on or about June 13, 2007.

2. The City is in the process of preparing the record, but has been unable to complete the preparation of the record despite diligent efforts. The City will be able to complete the preparation of the record and file it on or before July 13, 2007.

3. The hearing is scheduled for July 16-17, 2007. Written discovery is to be completed by June 28, 2007, and depositions, if any, by July 9, 2007. Initial briefs are to be filed by August 1, 2007. The City has filed time certain waivers of the decision deadline to and including October 18, 2007. No party will be prejudiced by the extension of the deadline for filing the record of the City's proceedings to July 13, 2007.

4. Additionally, the City seeks leave to file only the original and two copies of the record. Section 107.304(c) of the Board's procedural rules requires the City to file the original and nine copies of all documents (except the transcript) in the record. The City is aware that the Board has proposed, in rulemaking R04-08, amending its procedural rules to delete the requirement in Section 107.304(c) that the siting authority file the original and nine copies of the record. The City is also aware that the composition of the Board has been reduced from seven members to five members, and that the Board has consolidated its offices. Therefore, the City seeks leave to file the original and two copies of the record.

5. Finally, the City seeks leave to file only the original of eleven (11) banker's boxes of copies of correspondence between the Operator and the Illinois Environmental Protection Agency, which were filed as part of the application, because of their volume.

6. Counsel for the City has contacted the attorneys for all parties and been advised that no parties have any objection to the entry of an order granting this motion.

WHEREFORE, the City seeks an extension of time, to and including July 13, 2007, to file its record; for leave to file the original and two copies of the record; for leave to file only the original of the eleven (11) banker's boxes of correspondence between the Operator and the Illinois Environmental Agency, and for such other relief as the Board deems appropriate.

THE CITY OF ROCHELLE

By: /s/ Alan H. Cooper
ALAN H. COOPER
Its Attorney

ALAN H. COOPER
Attorney at Law
233 East Route 38, Suite 202
P. O. Box 194
Rochelle, IL 61068
(815) 562-2677

E:\MyFiles\city landfill\citylandfill.motionforextensionofilerecord.doc

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ROCHELLE WASTE DISPOSAL, L.L.C.,)
)
Petitioner,)
) PCB 07-113
THE CITY OF ROCHELLE, an ILLINOIS)
MUNICIPAL CORPORATION and THE)
ROCHELLE CITY COUNCIL,)
)
Respondents.)

CONCERNED CITIZENS OF OGLE)
COUNTY,)
)
Petitioner,)
) PCB 07-116
THE CITY OF ROCHELLE, the CITY)
COUNCIL OF THE CITY OF ROCHELLE,)
ILLINOIS and ROCHELLE WASTE)
DISPOSAL, L.L.C.,)
)
Respondents.)

NOTICE OF FILING

TO: See Attached Service List

PLEASE TAKE NOTICE that I have today filed with the office of the Clerk of Pollution Control Board a MOTION FOR EXTENSION OF TIME FOR FILING RECORD AND FOR LEAVE TO FILE REDUCED NUMBER OF COPIES, on behalf of the City of Rochelle, a copy of which is herewith served upon you.

/s/ Alan H. Cooper
ALAN H. COOPER

Date: June 26, 2007

ALAN H. COOPER
Attorney at Law
233 East Route 38, Suite 202
P.O. Box 194
Rochelle, IL 61068
(815)562-2677

STATE OF ILLINOIS)
)
COUNTY OF OGLE)

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of the foregoing MOTION FOR EXTENSION OF TIME FOR FILING RECORD AND FOR LEAVE TO FILE REDUCED NUMBER OF COPIES and notice of filing was served upon :

Mr. Bruce McKinney
City Clerk
420 N. 6th Street
Rochelle, IL 61068

Mr. Donald J. Moran
Pedersen & Houpt
161 N. Clark Street
Suite 3100
Chicago, IL 60601

Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
100 W. Randolph Street
Chicago, IL 60601

Mr. Charles F. Helsten
Hinshaw & Culbertson
100 Park Avenue
Rockford, IL 61101

David L. Wentworth II
Emily R. Vivian
Hasselberg, Williams, Grebe,
Snodgrass & Birdsall
124 SW Adams, Suite 360
Peoria, IL 61620

by electronic mail on the 26th day of June, 2007.

/s/ Alan H. Cooper
ALAN H. COOPER

ALAN H. COOPER
Attorney at Law
233 East Route 38, Suite 202
P. O. Box 194
Rochelle, IL 61068
(815) 562-2677

