

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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DEC 04 2009

STATE OF ILLINOIS
Pollution Control Board

VEOLIA ES VALLEY VIEW)
VIEW LANDVILL, INC.)
)
Petitioner,)
)
vs.)
)
COUNTY BOARD OF)
MACON COUNTY, ILLINOIS,)
)
Respondent.)

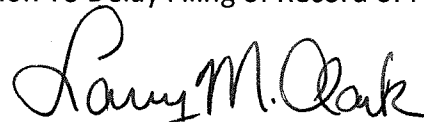
PCB 10-31
(Pollution Control Facility Siting Appeal)

ORIGINAL

NOTICE OF FILING

To: Gerald P. Callaghan
Freeborn & Peters LLP
311 South Wacker Drive, Suite 3000
Chicago, IL 60606

Please take notice that on the 3rd day of December, 2009 we have filed with the Office of the Clerk of the Pollution Control Board our Motion To Delay Filing of Record of Proceedings, a copy of which is hereby served upon you.



Larry M. Clark, Attorney for Respondent

Dated this 30th day of November, 2009

Larry M. Clark
Attorney At Law
700 North Lake Street, Suite 200
Mundelein, IL 60060
847-949-9396

CERTIFICATE OF SERVICE

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CLERK'S OFFICE

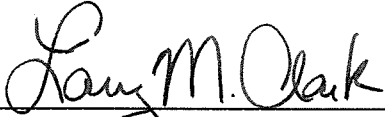
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STATE OF ILLINOIS
Pollution Control Board

I, Larry M. Clark, an attorney for the Respondent, hereby certify that I have served the attached Notice of Filing and Appearance on the following person at the following address by U.S. Mail, postage prepaid.

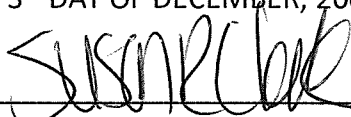
Gerald P. Callaghan
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ORIGINAL

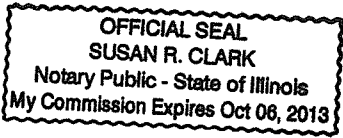


Larry M. Clark

SUBSCRIBED AND SWORN TO BEFORE ME
THIS 3rd DAY OF DECEMBER, 2009



Notary Public



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Pollution Control Board

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ORIGINAL

MOTION TO DELAY FILING OF RECORD OF PROCEEDINGS

Now comes the County Board of Macon County, Illinois by and through one of their attorneys, Larry M. Clark and moves this Honorable Board for a 45 day delay in the filing of the Record as Ordered by Board Order dated November 19, 2009 and states in support of said Motion as follows:

1. The Macon County Board granted local siting approval pursuant to a Petition for Local Siting filed by Veolia ES Valley View Landfill, Inc. on October 8, 2009, subject to a number of conditions.
2. Veolia ES Valley View Landfill, Inc. filed their appeal before the Illinois Pollution Control Board on November 9, 2009 requesting a review of the decision of the Macon County Board in regard to said local siting decision.
3. Veolia ES Valley View Landfill, Inc.'s appeal is based upon five of the conditions imposed by the Macon County Board.
4. That the Parties to this appeal have agreed to meet and discuss the appealed conditions in an effort to reach an accord on the language of said conditions.
5. That it is anticipated that the negotiations to resolve the appealed conditions may take as long as 45 days to reach an accord or an impasse.
6. That the Parties have scheduled a meeting to discuss said conditions on December 11, 2009.
7. That a delay in the disposition of this appeal will not prejudice the Petitioner in that local siting has been granted and the issues raised by the appealed

conditions will not delay the Petitioners application to the Illinois Environmental Protection Agency for a Development Permit.

8. That it is your movants understanding that the Petitioner has agreed to the delay in the filing of the Record and to extend the time to file the Record by 45 days and to extend the time for decision by a like 45 days.

WHEREFORE YOUR MOVANT PRAYS that the Pollution Control Board amend their Order of November 19, 2009 by extending the time for the Macon County Board to file the Record by an additional 45 days.



Larry M. Clark, One of the Attorneys for
Respondent, Macon County Board

Larry M. Clark
Attorney for Macon County Board
700 North Lake Street, Suite 200
Mundelein, IL 60060
847-949-9396

Dated this 3rd day of December, 2009

Larry M. Clark

Attorney At Law

700 North Lake Street, Suite 200 Mundelein, IL 60060

(847) 949-9396 Fax (847) 949-9427

larrymclark55@sbcglobal.net

December 3, 2009

Illinois PCB, Attn: Clerk
James R. Thompson Center
100 W. Randolph, Suite 11-500
Chicago, IL 60601

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CLERK'S OFFICE

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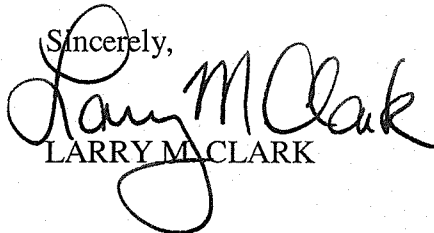
STATE OF ILLINOIS
Pollution Control Board

Re: Veolia ES Valley Landfill Appeal
PCB 10-31

Dear Sir or Madam:

Enclosed please find my Motion to Delay Filing of Record, my Notice of Filing and a Proposed Order. Should you desire anything further, please do not hesitate to contact me. Thank you.

Sincerely,


LARRY M. CLARK

Encl
LMC/sr

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

December , 2009

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STATE OF ILLINOIS
Pollution Control Board

VEOLIA ES VALLEY VIEW)
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(Pollution Control Facility Siting Appeal)

ORDER

This matter comes before the Illinois Pollution Control Board on Motion of the County of Macon, Illinois to delay the filing of the record in the above matter. The Board being advised that the Petitioner has no objection to said Motion, and further being advised that the Petitioner has filed a Waiver/Consent to delay said filing of the record and a Waiver/Consent to extend the time for Final Action for a like 45 days.

The County must file the entire record of its proceedings by January 25, 2010.

Veolia has extended by waiver the decision deadline by 45 days to April 23, 2010.

IT IS SO ORDERED.

I, _____, hereby certify that the Board adopted the above order on December _____, 2009, by a vote of _____.
