

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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JAN 25 2010

STATE OF ILLINOIS  
Pollution Control Board

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

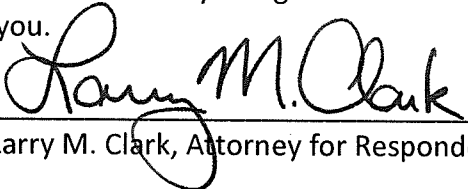
PCB 10-31  
(Pollution Control Facility Siting Appeal)

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 22<sup>nd</sup> day of January, 2010 we have filed with the Office of the Clerk of the Pollution Control Board our Motion To Further Delay Filing of Record of Proceedings, a copy of which is hereby served upon you.

  
Larry M. Clark, Attorney for Respondent

Dated this 22<sup>nd</sup> day of January, 2010

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

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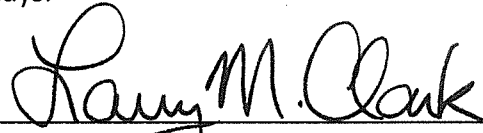
**MOTION TO FURTHER DELAY FILING OF RECORD OF PROCEEDINGS**

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 an additional 45 day delay in the filing of the Record as Ordered by Board Order dated November 19, 2009 and as amended by Hearing Officer Order dated December 15, 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 Board ordered the County to file the Record on or before December 9, 2009.
5. That Hearing Officer Carol Webb entered an Order on December 14, 2009 extending the time to file the record until January 25, 2010.
6. That the Parties have met on three separate occasions and are close to reaching accord on the appealed conditions and that they believe that an additional 45 days will allow them to finalize an agreed order to resolve this appeal.

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 Orders of November 19, 2009 and December 14, 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 22<sup>nd</sup> day of January 2010

CERTIFICATE OF SERVICE

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CLERK'S OFFICE

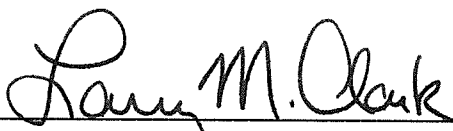
JAN 25 2010

STATE OF ILLINOIS  
Pollution Control Board

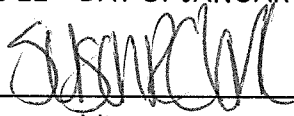
I, Larry M. Clark, an attorney for the Respondent, hereby certify that I have served the attached Notice of Filing and Appearance on the following person at the following address by U.S. Mail, postage prepaid.

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

ORIGINAL

  
\_\_\_\_\_  
Larry M. Clark

SUBSCRIBED AND SWORN TO BEFORE ME  
THIS 22<sup>nd</sup> DAY OF JANUARY, 2010

  
\_\_\_\_\_  
Notary Public

