

ILLINOIS POLLUTION CONTROL BOARD  
May 6, 1999

SIERRA CLUB, MIDEWIN TALLGRASS )  
PRAIRIE ALLIANCE, AUDUBON COUNCIL )  
OF ILLINOIS, and ILLINOIS AUDUBON )  
SOCIETY, )  
 )  
Petitioners, )  
 )  
v. ) PCB 99-136  
 ) (Pollution Control Facility  
WILL COUNTY BOARD and WASTE ) Siting Appeal)  
MANAGEMENT OF ILLINOIS, INC., )  
 )  
Respondents. )

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LAND AND LAKES COMPANY, )  
 )  
Petitioner, )  
 )  
v. ) PCB 99-139  
 ) (Pollution Control Facility  
WILL COUNTY BOARD and WASTE ) Siting Appeal)  
MANAGEMENT OF ILLINOIS, INC., )  
 )  
Respondents. )

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KATHLENN KONICKI, )  
 )  
Petitioner, )  
 )  
v. ) PCB 99-140  
 ) (Pollution Control Facility  
WILL COUNTY BOARD and WASTE ) Siting Appeal)  
MANAGEMENT OF ILLINOIS, INC., ) (Consolidated)  
 )  
Respondents. )

ORDER OF THE BOARD (by C.A. Manning):

On April 28, 1999, Respondent Waste Management of Illinois (WMI), filed a "Motion to Dismiss Petition for Review and Request for Stay of Discovery." On May 3, 1999, Respondent

Will County Board (County Board), filed a "Motion to Make More Definite the Petition for Review of Land and Lakes Company" (Mot.). On May 5, 1999, Petitioner Land and Lakes Company (LALC), filed a response (Resp.). Today the Board grants the County Board's motion and reserves ruling on WMI's motion to dismiss until a later date.

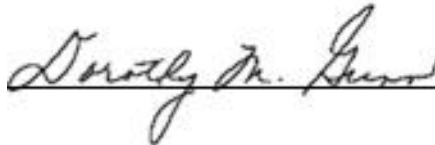
In the County Board's motion, the County Board alleges that LALC's petition is "insufficient to allow Respondent to prepare its defense." Mot. at 3. Specifically, the County Board alleges the petition fails to allege any facts that support LALC's contention that the siting process was fundamentally unfair or specify which siting criteria LALC thinks were not met. Mot. at 3. In its response, LALC agrees to amend its petition for review to identify the specific siting criteria it believes were not satisfied, and to plead facts to support its belief that the siting process was fundamentally unfair. Resp. at 3. LALC further agrees to file an amended petition for review no later than May 11, 1999.

The Board grants the County Board's motion and orders LALC to file an amended petition for review on or before May 11, 1999. The petition must include the specific siting criteria LALC believes were not satisfied and facts to support its allegation that the siting process was fundamentally unfair.

Board Members G.T. Girard and M. McFawn abstained.

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 6th day of May 1999 by a vote of 4-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", written over a horizontal line.

Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board