

ILLINOIS POLLUTION CONTROL BOARD
September 1, 2010

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STATE OF ILLINOIS
Pollution Control Board

ORIGINAL

PEOPLE OF THE STATE OF ILLINOIS)
)
Complainant,)
)
v.) PCB 09-108
) (Enforcement – Air)
APPOLLO PLASTICS CORPORATION, an)
Indiana corporation,)
)
Respondent.)

HEARING OFFICER ORDER

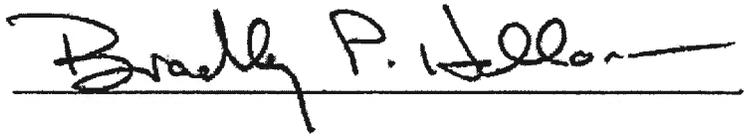
On August 30, 2010, all parties participated in a telephonic status conference with the hearing officer. The parties stated that in May 2010, the Illinois Environmental Protection Agency (Agency) reviewed the respondent's financial documents in support of its inability to pay claim. At that time, the Agency requested additional financial information which the respondent promptly tendered to the Agency. The parties represented that the Agency has not completed review of the additional documents.

The complainant stated that it wishes to move forward in these proceedings, including the respondent filing its answer in this matter, notwithstanding the Agency's incomplete review of the financial documents. The respondent wishes to wait until the Agency's complete review before it proceeds with litigation.

The respondent stated that it will file a motion to stay with the Board on or before September 8, 2010. Complainant's response time will be discussed at the next status conference.

The parties or their legal representatives are directed to appear at a telephonic status conference with the hearing officer on September 9, 2010, at 11:30 a.m. The telephonic conference must be initiated by the complainant, but each party is nonetheless responsible for its own appearance. At the conference the parties must be prepared to discuss the status of the above-captioned matter and their readiness for hearing.

IT IS SO ORDERED.



Handwritten signature of Bradley P. Halloran, written in black ink and underlined.

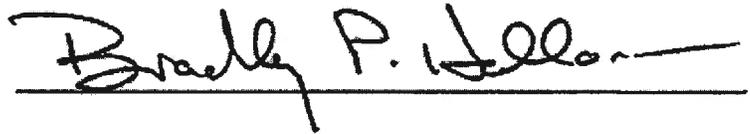
Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
100 W. Randolph Street
Chicago, Illinois 60601
312.814.8917

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, on September 1, 2010, to each of the persons on the attached service list.

It is hereby certified that a true copy of the foregoing order was hand delivered to the following on September 1, 2010:

John T. Therriault
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph St., Ste. 11-500
Chicago, Illinois 60601

A handwritten signature in black ink that reads "Bradley P. Halloran". The signature is written in a cursive style and is positioned above a solid horizontal line.

Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601
312.814.8917

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