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STATE OF ILLINOIS
Pollution Control Board

ILLINOIS POLLUTION CONTROL BOARD

January 5, 2016

VEOLIA ES TECHNICAL SOLUTIONS,)	
L.L.C.,)	
)	
Petitioner,)	
)	
v.)	PCB 10-50
)	(Permit Appeal - RCRA)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	



ORIGINAL

HEARING OFFICER ORDER

On January 5, 2016, the parties participated in a telephone status conference with the hearing officer. The parties report that the Illinois Environmental Protection Agency cannot issue the RCRA permit until USEPA issues the Title V permit. There is no change in status with respect to the Title V permit.

In an effort to assist the Board regarding the status of the above-captioned appeal, the parties are directed to address the attached questions in a filed written response, either jointly or separately, by January 29, 2016.

The parties are directed to participate in a telephone status conference with the hearing officer at 10:00 a.m. on February 23, 2016. The status conference shall be initiated by the petitioner.

Petitioner filed an open waiver of the decision deadline.

IT IS SO ORDERED.

Carol Webb

Carol Webb
Hearing Officer
Illinois Pollution Control Board
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BOARD QUESTIONS

1. Have settlement discussions resolved any conditions disputed in the original petition? Which conditions remain at issue?
2. Which party made the most recent settlement proposal? When is a response to that proposal expected? Is a future discussion on settlement scheduled? Can you estimate when a settlement may be reached?
3. What is the status of the administrative record? The March 29, 2011 hearing officer order describes issues pertaining to the record, but it appears that no update on its status has been provided since then.
4. The March 29, 2011 hearing officer order states that site work was expected to take nine months to complete. Other hearing officer orders mention a fish study (December 14, 2011) and a sampling plan (July 31, 2012). What is the status of these projects? Are they necessary to complete the RCRA permit appeal?
5. This permit appeal has been delayed while the petitioner worked to finalize its Title V permit. Describe the status of the Title V permit. Is it necessary to reissue the facility's Title V permit before resolving the RCRA permit appeal?

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, on January 5, 2016, to each of the persons on the service list below.

It is hereby certified that a true copy of the foregoing order was hand delivered to the following on January 5, 2016:

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