

ILLINOIS POLLUTION CONTROL BOARD
August 29, 2019

IN THE MATTER OF:)
)
PETITION OF EMERALD POLYMER) AS 19-2
ADDITIVES, LLC, FOR AN ADJUSTED) (Adjusted Standard- Water)
STANDARD FROM 35 ILL. ADM. CODE)
304.122(b))

HEARING OFFICER ORDER

On August 16, 2019, the Illinois Environmental Protection Agency (Agency) filed a motion to adopt a discovery schedule. Petitioner filed a response on August 22, 2019.

At the status conference on August 6, 2019, the Hearing Officer agreed with the Agency's proposed discovery schedule, and a January hearing date was discussed. After the status conference, the Hearing Officer discussed the timeframe with Board staff. No Board members were present.

The Hearing Officer emailed the parties the following day to inform them that the hearing would likely be moved to December. The next telephone status conference was not scheduled until September 5, 2019, and the Hearing Officer did not want the parties, especially the Agency, to be surprised by an accelerated schedule. The email was intended to be a courtesy, not an exhibit. Counsel is directed to show due respect to the Board and Hearing Officer in the future.

In consideration of the parties proposed schedules and Board resources, the following discovery schedule is set. The parties should plan to expedite post-hearing briefs to the extent possible.

DISCOVERY SCHEDULE

DESCRIPTION OF ACTIVITY	DUE DATE
Petitioner's expert reports deadline	September 30, 2019
IEPA's expert reports deadline	October 28, 2019
All discovery completed including depositions	December 20, 2019
Tentative Hearing Dates	January 13-23, 2020

The parties are reminded to participate in a telephone status conference with the hearing officer at 9:00 a.m. on September 5, 2019. The status conference shall be initiated by the petitioner.

IT IS SO ORDERED.

Carol Webb

Carol Webb
Hearing Officer
Illinois Pollution Control Board
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Springfield, Illinois 62794-9274
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CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were e-mailed on August 29, 2019, to each of the persons on the service list below.

It is hereby certified that a true copy of the foregoing order was e-mailed to the following on August 29, 2019:

Don A. Brown
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph St., Ste. 11-500
Chicago, Illinois 60601



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@Consents to Electronic Service

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