

ILLINOIS POLLUTION CONTROL BOARD
August 19, 2022

AQUA ILLINOIS INC.,)	
)	
Petitioner,)	
)	
v.)	
)	PCB 23-12
ILLINOIS ENVIRONMENTAL)	(Permit Appeal – Water)
PROTECTION AGENCY,)	
)	
Respondent.)	

HEARING OFFICER ORDER

On August 11th and 18th, 2022, all parties participated in telephonic status conferences with the hearing officer. In both status conferences, I informed the parties of the probable timeline of proceeding to hearing should the statutory decision due date remain on November 7, 2022.

On August 18, 2022, I orally denied in part and granted in part respondent’s motion for extension of time to file the record, filed on August 2, 2022. (Mot.) Respondent requested that it be given 30 days after the Board decides respondent’s Motion to Dismiss Additional Condition No. 6 that was filed on August 2, 2022. Mot. at 1-2. I noted that “[h]earings will be scheduled and completed in a timely manner, consistent with the decision deadline (*see* 415 ILCS 5/40(a)(2) (2020), which only Aqua may extend by waiver (*see* 35 Ill. Adm. Code 101.308)”. Aqua Illinois, Inc. v. IEPA, PCB 23-12 slip op. 2 (July 21, 2022).

I granted respondent’s motion, over petitioner’s written objections, filed August 3, 2022, only to the extent that the record in this appeal is now due to be filed on or before August 26, 2022.

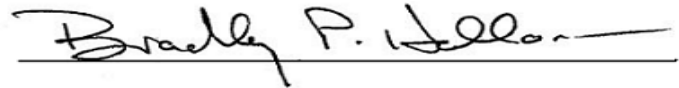
At the August 18, 2022, status conference, discussions were also entertained on a discovery schedule and tentative hearing dates. Considering that the statutory decision deadline is November 7, 2022, with the Board meeting immediately before the decision deadline is scheduled for November 3, 2022, hearing dates were tentatively scheduled for September 28, 2022, and, if needed, September 29, 2022. The record will close, on October 3, 2022. I informed the parties that even with an expedited transcript, they will have to write and file their respective post-hearing briefs without it.

Finally, the parties were directed to file their proposed discovery schedule on or before August 22, 2022.

The parties or their legal representatives are directed to participate in a telephonic status conference with the hearing officer on August 22, 2022, at 1:00 p.m. The telephonic status conference must be initiated by the petitioner, and provide a call-in number, but each party is

nonetheless responsible for its own appearance. At the status conference, the parties must be prepared to discuss the status of the above-captioned matter and their readiness for hearing.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "Bradley P. Halloran", is positioned above a solid horizontal line.

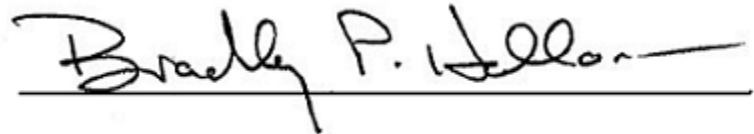
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CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were e-mailed on August 19, 2022, to each of the persons on the attached service list.

It is hereby certified that a true copy of the foregoing order was delivered to the following on August 19, 2022:

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