

ILLINOIS POLLUTION CONTROL BOARD
November 7, 1996

THE CITY OF LOCKPORT,)	
)	
Petitioner,)	
)	
v.)	PCB 97-23
)	(Permit Appeal - Water)
)	
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

ORDER OF THE BOARD (by J. Yi):

The City of Lockport (Lockport) submitted a construction permit application requesting a permit to expand its wastewater treatment plant from the Illinois Environmental Protection Agency (Agency). On June 21, 1996, the Agency issued a denial letter stating that the site-specific rule granted by the Board to Lockport did not apply to the proposed treatment plant expansion.¹ Thereafter Lockport appealed the Agency's decision. In a previous order the Board granted a stay until October 22, 1996 and directed the parties to file a status report on or before October 22, 1996.

This matter is now before the Board upon a joint motion for a stay filed October 22, 1996 by Lockport and the Agency. The parties filed a joint motion for stay of the proceedings with the request to file a status report within 90 days. Additionally, Lockport filed a 90 day waiver of the decision due date in this case making the decision due date May 20, 1997. Alternatively, in the joint motion the Agency requests an additional 30 days to file its response to the permit appeal.

The Board grants the joint motion for stay in this matter. The decision due date is now May 20, 1997, and the requested stay in this matter would be until January 20, 1997. The Board orders the parties to direct all future status reports and motions for stay to the attention of the assigned hearing officer, Deborah Frank. The parties are to file with the Board a status report for consideration by the hearing officer on or before January 20, 1997.

IT IS SO ORDERED.

Board Member K. Hennessey abstained.

¹ The Lockport site-specific rule can be found at 35 Ill. Adm. Code 304.208.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the ____ day of _____, 1996, by a vote of _____.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board