

ILLINOIS POLLUTION CONTROL BOARD
December 20, 1995

CITY OF AUBURN,)	
)	
Petitioner,)	
)	
v.)	PCB 96-64
)	(UST Appeal)
)	
)	
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

ORDER OF THE BOARD:

On September 18, 1995, the Illinois Environmental Protection Agency (Agency) and the City of Auburn filed a notice of extension of the 35-day appeal period pursuant to Section 40 of the Act, relating to the August 10, 1995 Agency rejection of the City of Auburn's Site Classification Plan. On December 18, 1995, the Board received the City of Auburn's petition for review regarding its facility, located at 300 West Washington Street, Auburn, Sangamon County, Illinois. This matter is accepted for hearing.

The hearing must be scheduled and completed in a timely manner, consistent with Board practices. The Board will assign a hearing officer to conduct hearings consistent with this order, and the Clerk of the Board shall promptly issue appropriate directions to that assigned hearing officer.

The assigned hearing officer shall inform the Clerk of the Board of the time and location of the hearing at least 40 days in advance of hearing so that public notice of hearing may be published. After hearing, the hearing officer shall submit an exhibit list, a statement regarding credibility of witnesses and all actual exhibits to the Board within five days of the hearing. Any briefing schedule shall provide for final filings as expeditiously as possible. Absent any future waivers of the decision deadline, the statutory decision deadline is now April 16, 1996 (120 days from December 18, 1995); the Board meeting immediately preceding the due date is scheduled for April 4, 1996.

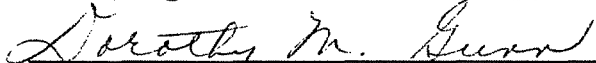
If after appropriate consultation with the parties, the parties fail to provide an acceptable hearing date or if after an attempt the hearing officer is unable to consult with the parties, the hearing officer shall unilaterally set a hearing date in conformance with the schedule above. The hearing officer and the parties are encouraged to expedite this proceeding as

much as possible. The Board notes that Board rules (35 Ill. Adm. Code 105.102) require the Agency to file the entire Agency record of the Site Classification Plan within 14 days of notice of the petition.

This order will not appear in the Board's opinion volumes.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 20th day of December, 1995, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board