

ILLINOIS POLLUTION CONTROL BOARD  
May 4, 1995

COMERICA BANK-ILLINOIS,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 95-40
	)	(UST Appeal)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

ORDER OF THE BOARD (by R.C. Flemal):

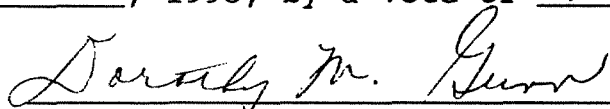
On April 28, 1995 Comerica Bank-Illinois (Comerica) filed a Motion for Stay of Proceedings and a Waiver of Decision Date. Comerica did not waive the Board's decision deadline until a date certain as required pursuant to the Board's procedural rule 35 Ill. Adm. Code 101.105.

On May 2, 1995 Comerica filed an additional Motion for Stay of Proceedings and a Corrected Waiver of Decision Date. Comerica's Corrected Waiver of Decision Date waives the Board's decision deadline in this matter until December 22, 1995.

Comerica's April 28th Motion for Stay of Proceedings requests a stay for 120 days. Comerica's May 2nd motion does not indicate what length of stay is requested. Therefore, the Board will look to Comerica's April 28th motion. However, Comerica does not indicate whether they are requesting the stay to begin at the end of the previous stay, April 21, 1995, or begin the date of filing the motion. The Board requires 120 days in which to schedule hearing, give public notice, establish a briefing schedule, receive and review the transcript and fully deliberate on the matter. Given the current Board decision deadline of December 22, 1995 and the lack of information in Comerica's Motion's for Stay of Proceedings, the Board grants a stay in this matter until August 24, 1995.

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 4<sup>th</sup> day of May, 1995, by a vote of 7-0.

  
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Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board