

ILLINOIS POLLUTION CONTROL BOARD
December 14, 1994

BARBARA L. HEISER)	
(HEISER'S GARAGE),)	
)	
Petitioner,)	
)	
v.)	PCB 94-377
)	(UST Fund)
OFFICE OF THE STATE FIRE)	
MARSHAL,)	
)	
Respondent.)	

ORDER OF THE BOARD (by M. McFawn):

On December 9, 1994, Barbara L. Heiser (Heiser's Garage), filed a petition for review of an Office of the State Fire Marshal ("OSFM") final reimbursement determination from the Underground Storage Tank Fund. The OSFM issued a final reimbursement decision on November 10, 1994, which contains the stated reasons for ineligibility. The final determination concerns the Petitioner's site located at 1728 North Sheridan Road, Peoria, Peoria County, Illinois. This matter is accepted for hearing.

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

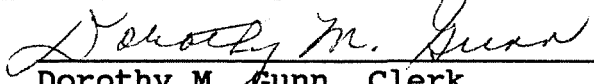
The assigned hearing officer shall inform the Clerk of the Board of the time and location of the hearing at least 40 days in advance of hearing so that public notice of hearing may be published. After hearing, the hearing officer shall submit an exhibit list, a statement regarding credibility of witnesses 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.

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. The hearing officer and the parties are encouraged to expedite this proceeding as much as possible.

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 14th day of December, 1994, by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board