

ILLINOIS POLLUTION CONTROL BOARD
February 17, 1994

SAFETY-KLEEN CORP.,)
(URBANA FACILITY),)
)
Petitioner,)
)
v.) PCB 93-138
) (Permit Appeal)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

ORDER OF THE BOARD (by E. Dunham):

This matter comes before the Board on its own motion following Petitioner's failure to attend a scheduled hearing in this matter on December 6, 1993.

On July 23, 1993, Safety-Kleen Corp. filed a petition for permit review for its Urbana, Illinois Service Center Facility. The matter was accepted for hearing by order of the Board on August 5, 1993. The December 6, 1993 hearing date was set by the hearing officer, with notice to the parties sent August 23, 1993, and notice documented by the Board on August 26, 1993.

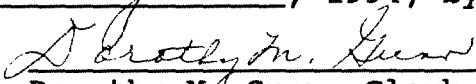
Section 103.220 of the Board's procedural rules states:

"Failure of a party to appear on the date set for a hearing or failure to proceed as ordered by the Board shall constitute a default."
(35 Ill. Adm. Code 103.220.)

The Board orders that Safety-Kleen Corp. show cause why a default order dismissing this case should not be entered. Further, the Board incurred costs for a hearing officer and court reporter at this hearing. The Board further orders Safety-Kleen to show cause why sanctions should not be levied for costs incurred by the Board, and such other sanctions as may be appropriate. (35 Ill. Adm. Code 101.280.) Safety-Kleen's response to this order should be filed with the Board on or before March 4, 1994.

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 17th day of February, 1994, by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board