

ILLINOIS POLLUTION CONTROL BOARD  
December 2, 1993

A.B. DICK COMPANY, )  
 )  
 Petitioner, )  
 )  
 v. ) PCB 92-99  
 ) (UST Fund)  
 ILLINOIS ENVIRONMENTAL )  
 PROTECTION AGENCY, )  
 )  
 Respondent. )

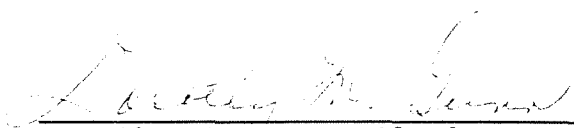
ORDER OF THE BOARD (by C.A. Manning):

Pursuant to Board order of September 9, 1993, A.B. Dick Company (A.B. Dick) filed a status report on November 19, 1993. The status report indicates that A.B. Dick is negotiating with the Illinois Environmental Protection Agency (Agency) regarding settlement in this matter and in a related case, A.B. Dick v. IEPA, PCB 92-209. Counsel for A.B. Dick states that the company is "encouraged by the progress of the negotiations to date and continues to believe that settlement is possible." A.B. Dick specifically requests that this matter not be set for hearing in order to allow the parties to pursue negotiations, and accordingly, has filed a statutory deadline waiver until June 1, 1994.

The Board accepts the status report filed by A.B. Dick and directs the parties to file an additional status report on or before January 18, 1994. If this case is not dismissed or otherwise resolved by January 18, 1994, and a hearing is required, an additional waiver of the statutory decision deadline should be filed in conjunction with the January status report. 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. Under such time constraints, the Board will be required to set this matter for hearing sometime in January without a waiver of the statutory deadline.

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 2nd day of December, 1993, by a vote of 6-0.

  
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Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board