

ILLINOIS POLLUTION CONTROL BOARD
January 6, 1994

RTC INDUSTRIES, INC.,)	
)	
Petitioner,)	
)	
v.)	PCB 93-28
)	(UST Fund)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

ORDER OF THE BOARD (by E. Dunham):


This appeal was originally filed on February 10, 1993. The petitioner has previously noted that the registration of the tank is at issue in this appeal. The petitioner has filed a complaint in Cook County Circuit Court for review of the Office Of State Fire Marshal's decision on registration and is awaiting a judgment before proceeding before the Board.

The Board notes that the petitioner has extended the decision deadline in this matter until August 4, 1994. If this case is not dismissed or otherwise resolved by April 6, 1994, and a hearing is required, an additional waiver of the statutory decision deadline should be filed. The Board requires a minimum of 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. The Board notes that this time frame presents a tight schedule for completion of all matters before the Board and only provides the Board a short period to deliberate on the matter. Therefore, whenever possible additional time should be allowed. Under the present time constraints imposed by the statutory deadline, the hearing officer, before April, must set a date for the hearing.

The parties are directed to file a status report with the Board on or before March 21, 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 6th day of January, 1994, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board