

ILLINOIS POLLUTION CONTROL BOARD
April 8, 1993

PEOPLE OF THE STATE OF ILLINOIS,)
)
 Complainant,)
)
 v.) PCB 92-68
) (Enforcement)
 CHEM-PLATE INDUSTRIES, INC.,)
 an Illinois Corporation,)
)
 Respondent.)

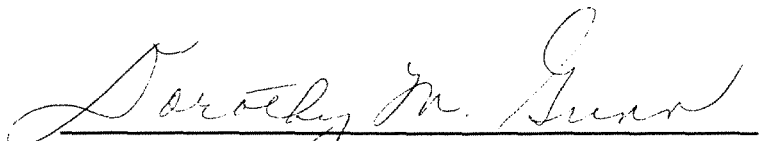
ORDER OF THE BOARD (by J. Anderson):

On February 26, 1993, the parties filed a stipulation and proposal for settlement in this matter. On March 1, 1993, the parties filed a request for relief from the otherwise applicable requirement of Section 31(a)(1) of the Act that proposed stipulated settlements be presented at public hearing. (See Section 31(a)(2), as enacted in P.A. 87-0134, effective August 13, 1991.) On March 11, 1993, the Board issued an order directing the Clerk to cause publication of the required newspaper notice and reserving ruling on the parties' request until after the statutory 21 days has passed. Newspaper notice was published on March 17, 1993.

On March 25, 1993, James S. Wagner filed a request that a hearing be held in this matter. Section 31(a)(2) of the Environmental Protection Act (Act) provides that the Board shall deny the request for relief from a hearing and hold a hearing in accordance with the provisions of Section 31(a)(1) of the Act if a person files a timely written demand for hearing. The Board finds that Mr. Wagner's request for hearing was timely filed. Accordingly, the Board hereby denies the parties' March 1, 1993 request for relief from hearing and directs the Clerk of the Board to schedule hearing in this matter.

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 8th day of April, 1993, by a vote of 6-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board