

ILLINOIS POLLUTION CONTROL BOARD
February 25, 1993

ROCK-OLA MANUFACTURING CORP.,)
)
Petitioner,)
)
v.) PCB 90-24
) (Permit Appeal)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)
)

ORDER OF THE BOARD (by J. Anderson):

This matter comes before the Board on a petition filed on February 15, 1990. The petitioner last filed a status report with the Board on February 1, 1993, pursuant to a January 21, 1993, Board order. On February 4, 1993, the Board directed the parties to file a status report with the Board on or before February 19, 1993.


On February 22, 1993, the Board received a copy of a hearing officer order. The order directed the parties to file the record in this cause not later than April 5, 1993, with the Clerk of the Illinois Pollution Control Board; that discovery will close on June 11, 1993; and that there will be a telephone conference on March 26, 1993, for the purpose of setting hearing dates. On February 24, 1993, the parties filed a joint status report with the Board. The status report informs the Board that after extensive negotiation, the parties have reached an impasse. The parties report that they are finalizing a hearing schedule with the hearing officer.

The Board notes that the status report was not timely filed. The Board reminds the parties that a conference with the hearing officer does not constitute compliance with a Board order directing the parties to file a status report. The Board notes with concern that the parties failed to file a motion for extension of time. In addition, when the report was filed, it was not accompanied by a motion to file instant. The Board will accept the status report and directs the hearing officer to inform the Board regarding the outcome of the March 26, 1993, telephone conference on or before April 2, 1993.

IT IS SO ORDERED.

0139-0383

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 25th day of February, 1993, by a vote of 6-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board