

ILLINOIS POLLUTION CONTROL BOARD
February 25, 1993

IN THE MATTER OF:)
)
PETITION OF THE STIFFEL)
COMPANY FOR ADJUSTED) AS 92-1
STANDARD FROM 35 ILL. ADM.) (Adjusted Standard)
CODE PART 218, SUBPART F)

ORDER OF THE BOARD (by J. C. Marlin):

On February 8, 1993, the parties, Stiffel and the Agency, filed a joint status report and request for a six month stay of this proceeding. This filing was made at the suggestion of the hearing officer, following his January 20, 1993 contact with the parties concerning the status of this case.

The report recites that:

As has been reported previously to the Board [on June 9, 1992], Stiffel submitted a compliance plan regarding 35 Ill. Adm. Code Part 218, Subpart F regulations to the IEPA on or about February 7, 1992. Ms. Armitage has represented that the Compliance Plan is acceptable to the IEPA. Ms. Armitage has also represented that the IEPA is in the process of preparing a recommendation to the Office of the Illinois Attorney General regarding a consent order that embodies the Compliance Plan.

The IEPA and Stiffel anticipate that the Consent Agreement will resolve all outstanding issues. Both the IEPA and Stiffel agree, therefore, that no hearing should be scheduled in this matter at present. Stiffel and the IEPA request, therefore, that the Board stay this matter. Stiffel and the IEPA agree to provide the Board with a status report in six (6) months.

The Board will not rule on the request for stay until the parties provide clarifying information concerning the following points:

1. The Board's last order in this matter, issued May 21, 1992, granted the Agency an extension of time until June 23, 1992 in which to file its response to this petition. No response has ever been filed, and no further extension has been sought, despite the

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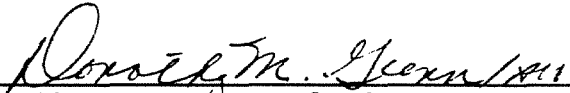
representations contained in the parties June 9, 1992 status report.

2. The parties' are negotiating a compliance plan to be embodied in a consent order. The status reports do not indicate why the consent order procedure is being pursued in this adjusted standard case.

The parties are directed to file a document responding to these concerns to be received by the Board on or before March 8, 1993.

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 25th day of FEBRUARY, 1993, by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board