

ILLINOIS POLLUTION CONTROL BOARD  
June 3, 1993

JOLIET PARK DISTRICT,	)	
(JOLIET AIRPORT FACILITY),	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 93-70
	)	(UST Fund)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

ORDER OF THE BOARD (by J. Anderson):

On May 12, 1993, the Illinois Environmental Protection Agency (Agency) filed a motion for summary judgment in this matter. On May 21, 1993, the Agency and Joliet Park District (Joliet) filed a joint motion requesting the Board to 1) stay the filing of Joliet's response to the Agency's motion, 2) stay the Board's ruling on the motion itself, and to 3) continue the June 9, 1993 hearing in this matter. On June 2, 1993, Joliet filed a waiver of the statutory decision deadline to November 9, 1993.

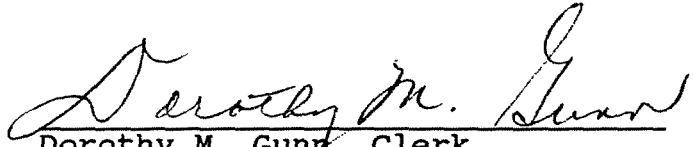
In support of the joint motion, the parties assert that, since the filing of the petition, Joliet has discovered new evidence which is of interest to the State Fire Marshal and which could determine the outcome of this case. The parties add that the State Fire Marshal's attorney has directed Joliet to file an amended notification for its underground storage tanks and that, as a result, settlement discussions may be appropriate in this case.

In light of the above, the Board hereby grants the parties' motion. Accordingly, the hearing officer is authorized to cancel the June 9, 1993 hearing. Joliet's response to the Agency's motion for summary judgment is to be received by the Board no later than July 21, 1993, so that the Board can issue a ruling on the motion for summary judgment at one of its August, 1993 Board meetings. This will allow the hearing officer to reschedule hearing, in the event that the motion is denied, consistent with the November 9, 1993 statutory decision deadline.

IT IS SO ORDERED.

0143-0069

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 3<sup>rd</sup> day of June, 1993, by a vote of 6-0.

  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board