

ILLINOIS POLLUTION CONTROL BOARD
January 24, 1991

PEOPLE OF THE STATE OF ILLINOIS,)
)
 Complainant,)
)
 v.) PCB 90-62
) (Enforcement)
 SURE-TAN INC., an Illinois)
 corporation,)
)
 Respondent.)

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

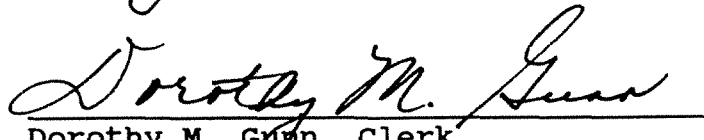
This matter is before the Board on Respondent Sure-Tan, Inc.'s Motion to Reopen Hearing filed December 27, 1990. No response has been received from Complainant Illinois Environmental Protection Agency ("Agency").

The motion requests that the hearing of December 18, 1990, be reopened because an Agency engineer did not appear to testify "thus causing a void in our defense." The Respondent states that the witnesses' appearance at the hearing was "expected" and mentions that additional witnesses are planned.

The Respondent fails to give adequate justification for reopening the hearing of December 18, 1990. Respondent apparently did not subpoena the attendance of the "expected" witness nor has Sure-Tan given any indication of why the engineer's testimony is necessary. Finally, Sure-Tan gives no reasons as to why the "additional witnesses" were not present or called at the prior hearing. The Respondent's motion is, therefore, denied.

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 24th day of January, 1991 by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board