

ILLINOIS POLLUTION CONTROL BOARD  
December 6, 1989

ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Complainant,	)	
	)	AC 89-164
v.	)	(Administrative Citation)
	)	IEPA Case No. 9784-AC
KEMP MANUFACTURING COMPANY,	)	
	)	
Respondent.	)	

ORDER OF THE BOARD (By J. Marlin):

This matter is before the Board on the respondent's November 17, 1989 motion for relief from a November 2, 1989 Default Order. The Board's file does not show proof of service on the Agency. The Clerk's office is directed to send the Agency a copy of the motion and accompanying documents.

The Board wishes to receive further information about this matter in that it is one of an increasing number of instances where respondents are confused by what appears to be the concurrent use of the AC process and other compliance initiatives for the same event. The Agency is hereby ordered to have its response to respondent's motion on file in the Board's offices by December 15, 1989, in order that the Board may consider this matter at its December 20, 1989 meeting. The Agency's response should include the following information:

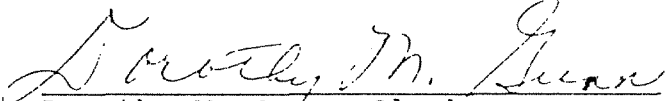
- 1) a statement of the facts concerning this matter; including a chronology of the contacts between the respondent and Agency personnel, a brief description of what transpired during each contact, and whether there was any discussion of settling the matter and withdrawing the citation,
- 2) copies of all written correspondence between the respondent and the Agency relating to this event,
- 3) prints of the Agency's photo exhibits that are clear and legible,
- 4) a statement as to whether or not the offending situation has been settled, cleaned up, rectified, or otherwise resolved,
- 5) a statement on whether or not there is any connection between the road oil and litter,

6) any additional information or argument necessary to fully advise the Board as to the facts in this situation, and

7) any recommended disposition of the motion.

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 6<sup>th</sup> day of December, 1989, by a vote of 6-0.

  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board