

ILLINOIS POLLUTION CONTROL BOARD
December 14, 1978

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 77-341
)	
ORDMAN'S PARK & SHOP, INC., an)	
Illinois corporation,)	
)	
Respondent.)	

INTERIM ORDER OF THE BOARD (by Mr. Goodman):

A hearing was scheduled in this matter for July 7, 1978 in Joliet, Illinois. Due to an unfortunate set of circumstances, however, the parties and the hearing officer appeared at the hearing, but no court reporter was present. A Stipulation and Proposed Settlement (Stipulation) was presented to the Hearing Officer. The Board is now requested to reach a decision based upon the Stipulation and a "common law record" agreed to by the parties herein.

It appears that no citizens attended the July 7 "hearing". However, even in such a seemingly innocent situation as this one, the Board finds that the principle of a transcript, available for public inspection, of any mandatory hearing is so basic to Board procedures that it cannot be waived. The Board therefore remands this matter to the Hearing Officer for hearing pursuant to Rule 307 of the Board's Procedural Rules and the February 16, 1978 Board Order herein.

IT IS SO ORDERED.

Mr. Dumelle concurred.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Interim Order was adopted on the 14th day of December, 1978 by a vote of 3-0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board