

ILLINOIS POLLUTION CONTROL BOARD
June 22, 2004

KELLER OIL COMPANY/SULLIVAN)	
SUPER K,)	
)	
Petitioner,)	
)	
v.)	PCB 04-133
)	(UST Appeal)
)	
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

HEARING OFFICER ORDER

On June 22, 2004, the parties participated in a telephone status conference with the hearing officer. Petitioner rejected respondent's settlement offer. Petitioner cannot determine whether it will propose a counteroffer or proceed to hearing until it has a chance to review the administrative record. Within the next two weeks, petitioner plans to file a motion to compel the administrative record and request sanctions.

Respondent was previously directed to file the administrative record by June 11, 2004. This case is one of a larger group of cases brought by the same environmental consultant. Respondent asserts that it is not possible to file all of these records within a short period of time. Respondent's response to petitioner's motion to compel will provide further explanation, and set forth a timetable for completion of the administrative records for this group of cases.

The parties are directed to participate in a telephone status conference with the hearing officer at 10:00 a.m. on July 7, 2004. The status conference shall be initiated by the petitioner. At the status conference, the parties must be prepared to discuss the status of the above-captioned matter.

Petitioner filed an open waiver of the statutory decision deadline.

IT IS SO ORDERED.

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