

ILLINOIS POLLUTION CONTROL BOARD  
July 15, 2004

PEOPLE OF THE STATE OF ILLINOIS, )  
)  
Complainant, )  
)  
v. ) PCB 02-186  
) (Enforcement - Air)  
VAN MELLE U.S.A., INC., an Illinois )  
corporation, )  
)  
Respondent. )

**HEARING OFFICER ORDER**

On July 15, 2004, all parties participated in a telephone status conference with the hearing officer. The respondent represented that revised supplemental environmental project was rejected and that its intent is to proceed to settle this matter through a monetary penalty. Both parties represented that there are several issues that need to be addressed and anticipate discussing these issues with the Illinois Environmental Protection Agency in the near future.

The respondent made an oral motion for an extension of time to and including October 18, 2004, to replead its affirmative defense to *laches* as directed in the March 4, 2004 Board order. The respondent's motion request is granted. The complainant made an oral motion for an extension of time to and including October 18, 2004, to answer respondent's affirmative defense number 2 that the was not addressed in the Board order. Complainant's motion is granted.

The parties are directed to participate in a telephonic status conference with the hearing officer on September 16, 2004, at 9:15 a.m. The status conference must be initiated by the complainant, but each party is nonetheless responsible for their own appearance. At the status conference, the parties must be prepared to discuss the status of the above-captioned matter and their readiness for hearing.

IT IS SO ORDERED.

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Bradley P. Halloran  
Hearing Officer  
Illinois Pollution Control Board  
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100 W. Randolph Street  
Chicago, Illinois 60601  
312.814.8917