

ORIGINAL

ILLINOIS POLLUTION CONTROL BOARD

June 7, 2005

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STATE OF ILLINOIS  
Pollution Control Board

IN THE MATTER OF: )  
 )  
 PROPOSED AMENDMENTS TO: ) R04-22  
 REGULATION OF PETROLEUM LEAKING ) (UST Rulemaking)  
 UNDERGROUND STORAGE TANKS (35 )  
 ILL. ADM. CODE 732) )


IN THE MATTER OF: )  
 )  
 PROPOSED AMENDMENTS TO: ) R04-23  
 REGULATION OF PETROLEUM LEAKING ) (UST Rulemaking)  
 UNDERGROUND STORAGE TANKS (35 ) (Consolidated)  
 ILL. ADM. CODE 734) )

**HEARING OFFICER ORDER**

On May 26, 2005, Unites Science Industries (USI) requested additional time to file prefiled testimony. The current date set by hearing officer order for prefilng testimony is July 1, 2005. USI asked that the deadline to prefile testimony be moved to July 15, 2005, because of the additional time granted the Agency to file answers to the prefiled questions. The Agency must prefile answers by June 15, 2005.

July 15, 2005, is only 12 days before the scheduled hearing in this proceeding and I am not convinced that 12 days is sufficient time to review the prefiled testimony before the hearing. Therefore, I will grant the request but only to July 8, 2005. This is an additional seven days from the prior deadline of July 1, 2005. Therefore, prefiled testimony must be filed with the Board and served on the persons on the service list by July 8, 2005. The mailbox rule does not apply.

IT IS SO ORDERED.

  
 Marie E. Tipsord  
 Hearing Officer  
 Illinois Pollution Control Board  
 100 West Randolph, Suite 11-500  
 Chicago, Illinois 60601  
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