

ILLINOIS POLLUTION CONTROL BOARD
July 17, 2007

CITY OF FREEPORT,)	
)	
Petitioner,)	
)	
v.)	PCB 98-108
)	(Permit Appeal - Land)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

HEARING OFFICER ORDER

On May 30, 2007, the hearing officer advised petitioner that its failure to file a status report by June 30, 2007, would result in a referral to the Board for dismissal. Respondent asserts that the issues in this appeal are rendered moot a subsequent permit. Petitioner’s attorney advised the hearing officer that he would confirm with petitioner’s consultant whether the appeal could be dismissed. Months later, this has not occurred.

Petitioner has not been diligent in pursuing this appeal, as demonstrated by its failure to appear at the majority of status conferences. The hearing officer has made every effort to accommodate petitioner, and petitioner has been unresponsive.

The hearing officer requests that the Board dismiss this case on its own initiative.

Petitioner filed an open waiver of the decision deadline in this case.

IT IS SO ORDERED.



Carol Webb
Hearing Officer
Illinois Pollution Control Board
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CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, on July 17, 2007, to each of the persons on the attached service list.

It is hereby certified that a true copy of the foregoing order was hand delivered to the following on July 17, 2007:

John T. Therriault
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