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DEC - 2 2015

STATE OF ILLINOIS
Pollution Control Board

ILLINOIS POLLUTION CONTROL BOARD
December 2, 2015

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
v.) PCB 04-137
) (Enforcement - Air)
ROBINSON CARBON, INC., a Delaware)
corporation,)
)
Respondent.)



ORIGINAL

HEARING OFFICER ORDER

On December 2, 2015, the parties participated in a telephone status conference with the hearing officer. Respondent submitted comments on the proposed settlement agreement, and the parties hope to hear from the Illinois Environmental Protection Agency this week.

In an effort to assist the Board regarding the status of the above-captioned appeal, the parties are directed to address the attached questions in a filed written response, either jointly or separately, by December 23, 2015.

The parties are directed to participate in a telephone status conference with the hearing officer at 11:00 a.m. on January 12, 2016. The telephone status conference will be initiated by the People.

IT IS SO ORDERED.

Carol Webb

Carol Webb
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
P.O. Box 19274
Springfield, Illinois 62794-9274
217/524-8509
Carol.Webb@illinois.gov

BOARD QUESTIONS

1. Is the facility functioning in the same way it was at the time of the original alleged violations in 2004? If not, what operational changes have been made since then?
2. Which counts from the third amended complaint are currently disputed in settlement discussions and which counts have been resolved in settlement discussion?
3. What issues impede the resolution of those counts in dispute?
4. Has a proposal been made to resolve these counts in dispute? If so, who made the proposal and when is a response to the proposal expected?
5. What are the dates of the most recent three discussions when the parties met to discuss settlement?
6. Is a future meeting scheduled?
7. Can you estimate of when settlement may be reached?
8. Provide a schedule for discovery and dispositive motions agreed to by both parties that leads to a hearing date for this action in 2016. If the Board finds that the schedule is acceptable, it will adopt it with the aim of resolving this action in 2016.

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, December 2, 2015, to each of the persons on the service list below.

It is hereby certified that a true copy of the foregoing order was hand delivered to the following on December 2, 2015:

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Carol Webb

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