ILLINOIS POLLUTION CONTROL BOARD
November 16, 2000

PEOPLE OF THE STATE OF ILLINOIS,	)	
	)	
Complainant,	)	
	)	
v.	)	PCB 01-80
	)	(Enforcement – Water)
NESTLE USA, INC.,	)	
	)	
Respondent.	)	

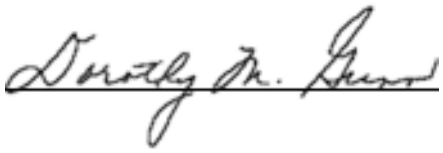
ORDER OF THE BOARD (by C.A. Manning):

On November 9, 2000, the People of the State of Illinois filed a three-count complaint against Nestle USA, Inc. (Nestle), a pumpkin processor. The complaint alleges Nestle caused or allowed a water pollution hazard, offensive discharges, and water quality violations at its facility located near Morton, Tazewell County, Illinois. These activities were in alleged violation of Sections 12(a) and (d) of the Environmental Protection Act (Act) (415 ILCS 5/12(a), (d) (1998)) and the Board's water pollution regulations at 35 Ill. Adm. Code 302.203, 302.204, 302.206, and 304.106. The Board accepts this matter for hearing.

The Board directs that this matter proceed to hearing as expeditiously as practicable. The assigned hearing officer must set the matter for hearing in accordance with the requirements of the Act and the Board's procedural rules. Accordingly, this matter must be set for hearing within 90 days after the filing of the complaint unless the hearing officer, after appropriate consultation with the parties, determines that a later date is appropriate and that no undue delay or material prejudice in the resolution of this matter would result. See 35 Ill. Adm. Code 103.125(a). In any event, it is the responsibility of the hearing officer to guide the parties toward prompt resolution or adjudication of this matter, through whatever status calls and hearing officer orders he or she determines are necessary and appropriate.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 16th day of November 2000 by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board