

ILLINOIS POLLUTION CONTROL BOARD
October 14, 1982

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,)
)
 Complainant,)
)
 v.) PCB 79-145
)
 CELOTEX CORP. and PHILIP CAREY CO.,)
)
 Respondent.)


ORDER OF THE BOARD (by J. Anderson):

The Board notes that there has been no activity in this case since late 1980. In response to the Clerk's June 15, 1982 inquiry concerning a hearing date in this matter, Counsel for Celotex responded that further discovery was necessary in this case, and that the case should be reassigned to a new Hearing Officer on the basis of a possible conflict of interest. The Hearing Officer had pointed out his mother's recent marriage to a retiree who had been a former Celotex employee. As any potential conflict was waived by the Attorney General (letters of October 3 and December 10, 1980), the Board declines to reassign this case.

Within 30 days of the date of this Order, the parties shall submit final discovery requests to the Hearing Officer, who shall establish an expeditious discovery schedule within 40 days of the date of this Order. After reviewing the history of this action, the Board finds it necessary to caution the parties that purposeful delay for its own sake of resolution of this matter will subject the responsible party to sanctions.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 14th day of October, 1982 by a vote of 5-0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board