

ILLINOIS POLLUTION CONTROL BOARD

November 18, 1999

KRKH, INC.,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 00-25
	)	(Water Well Setback Exception)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY, STUDIO 21	)	
LIMITED, JOE and THERESA SCLAFINI, and	)	
MIDWEST BANK AND TRUST as trustee	)	
U/T/# 74-11-1383,	)	
	)	
Respondents.	)	
	)	

ORDER OF THE BOARD (by R. C. Flemal):

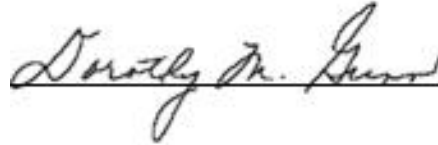
On August 16, 1999, petitioner filed a petition for a water well setback exception relating to replacement of underground storage tanks at a site located at 17 W. 532 Lake Street, Addison, DuPage County, Illinois. On September 9, 1999, the Board deferred action on the petition to allow the affected well owners the statutorily allotted time to waive or respond to petitioner's request for the water well setback exception, pursuant to Section 14.2(b) of the Environmental Protection Act (Act). 415 ILCS 5/14.2(b)(1998). The Board also ordered petitioners to file an amended petition naming the affected well owners as party respondents. The time for the well owners to waive or respond to the request elapsed on November 16, 1999. On November 17, 1999, petitioner filed an amended petition, naming the affected well owners as party respondents. The caption in today's order is amended to reflect the proper parties. Any responses or replies to the amended petition shall be filed pursuant to Section 106.603 of the Board's procedural rules. 35 Ill. Adm. Code 106.603.

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.

IT IS SO ORDERED.

Board Member N.J. Melas abstained.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 18th day of November 1999 by a vote of 5-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", written over a horizontal line.

Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board