

ILLINOIS POLLUTION CONTROL BOARD
June 16, 1981

ALBURN, INC.,)
)
) Petitioner,)
)
) v.) PCB 80-189
) 80-190
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,)
)
) Respondent.)


ORDER OF THE BOARD (by J. Anderson):

Alburn's June 15, 1981 Emergency Motion for Board Meeting is hereby granted. The various motions and responses which have been filed in this action since May 1, 1981 have consistently included allegations by each party that the other has not acted in good faith; Alburn's June 10, 1981 Emergency Motion for Continuance, and the Agency's June 15, 1981 Response in Opposition do not deviate from this pattern. While the Board is not prepared to find that either party has acted in bad faith at this time, the Board again emphasizes its interest in the expeditious resolution of the issues presented in this permit appeal.

On June 16, 1981 the Agency agreed to an extension of the hearing date for 11 days, until July 1. In reviewing its own records in this action, the Board has discovered a deficiency in the notice of this action required to be given by Section 40 of the Act. In consideration of the parties' various assertions, the requirements of the Act, and the Board's own need for a full record, Alburn's motion is granted. Hearing will be scheduled within 3 days, and held no sooner than 25 or later than 30 days of the date of this Order. Decision in this matter will accordingly be due September 9, 1981.

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 16th day of June, 1981 by a vote of 3-0.


Christan L. Moffett, Clerk
Illinois Pollution Control Board