

ILLINOIS POLLUTION CONTROL BOARD  
January 11, 1990

PEOPLE OF THE STATE OF ILLINOIS, )  
 )  
Complainant, )  
 )  
v. ) PCB 86-210  
 ) (Enforcement)  
 )  
HILLVIEW FARMS FERTILIZERS, INC., )  
and Illinois Corporation, and )  
ARNOLD N. MAY, individually and )  
as president of Hillview Farms )  
Fertilizers, Inc., )  
 )  
Respondent. )  
 )

ORDER OF THE BOARD (by J.D. Dumelle):

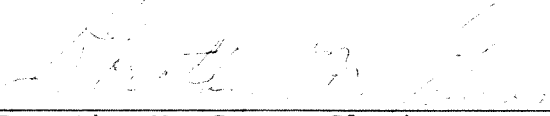
On November 15, 1989, the Board on its own motion adopted an Order directing the parties to file a status report no later than December 15, 1989. On that date, the Complainant, People of the State of Illinois, filed its status report. The Board has received no response from the Respondent.

After noting the pendency of a proceeding involving Arnold N. May in Bankruptcy Court in which Hillview Farms Fertilizers, Inc., is listed as an asset, the Complainant stated its belief that no ongoing environmental concerns exist at the site due to the negotiated cleanup which was completed in the fall of 1988. Complainant states, however, that issues remain in this action, including Complainant's request for the finding of violations and the imposition of civil penalties. To address these issues, Complainant requests a discovery cut-off date of 90 days, with a hearing to follow.

As it appears that the alleged violations are not of a continuing nature but rather are alleged to have occurred during a specific period of time, the Board can see no reason to delay this proceeding any longer. The Hearing Officer is directed to set a reasonable discovery period and then proceed to hearing without further delay.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Opinion and Order was adopted on the 17<sup>th</sup> day of June, 1990 by a vote of 0.

  
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Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board