

ILLINOIS POLLUTION CONTROL BOARD
September 8, 2016

BLAKE LEASING COMPANY, LLC,)
)
 Petitioner,)
)
 v.)
)
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY and VILLAGE OF)
KIRKLAND,)
)
)
 Respondent.)

PCB 16-100
(Water Well Setback Exception)

ORDER OF THE BOARD (by C.K. Zalewski):

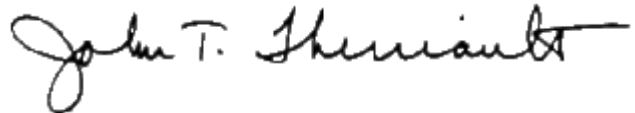
Blake Leasing Company, LLC (Blake) seeks an exception from the water well setback requirement in Section 14.2 of the Environmental Protection Act for its gas station in Kirkland, DeKalb County. See 415 ILCS 5/14.2 (2014). On August 11, 2016, the Board ordered Blake to file an amended petition to address the Board’s concerns and the Illinois Environmental Protection Agency’s concerns over the regulatory relief Blake has requested. On August 22, 2016, Blake filed a motion to stay proceedings (Mot.) to allow time for Blake to file an amended petition. Mot. at 4.

Section 101.514 of the Board’s procedural rules provides that motions to stay proceedings must include sufficient information about why a stay is necessary along with a status report. 35 Ill. Adm. Code 101.514. The same rule requires another status report at the close of the stay. *Id.* In its motion, Blake states that it is working with an expert to gather and analyze data necessary for an amended petition in this case. Mot. at 3. Blake attached a status report to the motion. Mot. Exh. A.

The Board grants Blake’s motion for stay and stays this case for 90 days until December 7, 2016. Blake must file a status report at that time detailing the progress made on the amended petition. Any additional request for stay must be directed to the hearing officer. 35 Ill. Adm. Code 101.514(b).

IT IS SO ORDERED.

I, John T. Therriault, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on September 8, 2016 by a vote of 4-0.



John T. Therriault, Clerk
Illinois Pollution Control Board