

ILLINOIS POLLUTION CONTROL BOARD

May 2, 1996

PEOPLE OF THE STATE OF ILLINOIS,	)	
	)	
Complainant,	)	
	)	PCB 93-250
v.	)	(Enforcement - Air )
	)	
CLARK OIL & REFINING	)	
CORPORATION,	)	
	)	
Respondent.	)	

ORDER OF THE BOARD (by E. Dunham):

On April 1, 1996, the parties filed a stipulation and proposal for settlement in this matter and a request for relief from the requirement of Section 31(a) (1) of the Act that proposed stipulated settlements be presented at public hearing. On April 4, 1996, the Board issued an order directing the Clerk to cause publication of the required newspaper notice and reserving ruling on the parties' request until after the statutory 21 days has passed. Newspaper notice was published on April 3, 1996 in the Alton Telegraph and on April 4, 1996 in the Daily Southtown.

On April 22, 1996, Lionel Trepanier filed a request that a hearing be held in this matter. Mr. Trepanier's objections to the proposed settlement relate to Clark's Blue Island facility and the filing of certain toxic chemical release forms for toluene and benzene. Section 31(a) (2) of the Environmental Protection Act (Act) provides that the Board shall deny the request for relief from a hearing and hold a hearing in accordance with the provisions of Section 31(a) (1) of the Act if a person files a timely written demand for hearing. The Board finds that the request for hearing was timely filed. Accordingly, the Board hereby denies the parties' April 4, 1996 request for relief from hearing and directs the Hearing Officer to schedule hearing in Cook County in this matter.

The hearing must be scheduled and completed in a timely manner, consistent with Board practices. The assigned hearing officer shall inform the Clerk of the Board of the time and location of the hearing at least 40 days in advance of hearing so that public notice of hearing may be published. After hearing, the hearing officer shall submit an exhibit list, a statement regarding credibility of witnesses and all actual exhibits to the Board within five days of the hearing. The hearing officer and the parties are encouraged to expedite this proceeding as much as possible.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the \_\_\_\_\_ day of \_\_\_\_\_, 1996, by a vote of \_\_\_\_\_.

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Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board