

ILLINOIS POLLUTION CONTROL BOARD
May 19, 1994

IN THE MATTER OF:)
) AS 93-4
PETITION OF CONVERSION SYSTEMS,) (Adjusted Standard)
INC., FOR ADJUSTED STANDARD FROM)
35 ILL. ADM. CODE PART 811 (LINER))

ORDER OF THE BOARD (by M. McFawn):

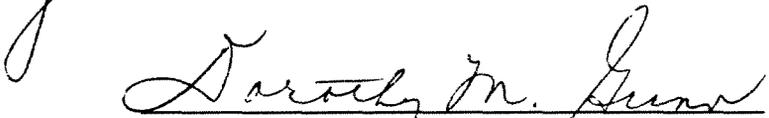
On May 3, 1994, the Illinois Environmental Protection Agency (Agency) filed a motion to withdraw one attorney's appearance and substitute another, along with a motion for an extension of time to file the Agency's response in this matter. The Agency's response has been due since February 18, 1994 pursuant to the Board's order of January 20, 1994. The Agency acknowledges that its response is overdue, but represents that the parties are negotiating a settlement in this matter. The Agency's motions to withdraw and substitute are granted.

The Board is critically aware that this matter has not progressed since the Board's order of August 26, 1993. At that time the parties disagreed about whether the adjusted standard procedure was available to petitioner. Given the lengthy delay in the Agency filing its response and its statement that negotiations are ongoing, the Board will assign a hearing officer and order that a pre-hearing conference be scheduled to discuss the underlying causes for the delay and the best procedural and expeditious manner for considering the relief sought by petitioner.

If after appropriate consultation with the parties, the parties fail to provide an acceptable date or if after reasonable attempts the hearing officer is unable to consult with the parties, the hearing officer shall unilaterally set a date for the pre-hearing conference. The Board will the Agency until May 23, 1994 to file it's response in this matter.

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 19th day of May, 1994, by a vote of 6-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board