

ILLINOIS POLLUTION CONTROL BOARD
February 21, 1980

IN THE MATTER OF:)
AMENDMENTS TO THE) R80-2
PROCEDURAL RULES)

PROPOSED ORDER OF THE BOARD (by Mr. Dumelle):

It is hereby proposed that Procedural Rule 311 shall be amended to read as follows: (New language is underlined, and language to be omitted is lined out).

311 Continuances

(a) A motion for continuance for any enforcement, variance, or permit appeal proceeding shall be granted by the Hearing Officer whenever justice may require. All motions for continuance must be supported by an affidavit or written motion before the Hearing Officer by the person or persons having knowledge of the facts supporting the motion. ~~The total time of continuance shall not exceed 90 days.~~

~~(b) Any continuance in excess of 45 days shall be granted only by order of the Board, upon written motion supported by an affidavit by the person or persons having knowledge of the facts supporting the motion.~~

~~(c)~~ (b) No continuance shall be granted for any variance or permits appeal proceeding unless the deadline for final Board action, whenever applicable, is extended by the petitioner.

(c) Whenever the Board notes, in its discretion, that any variance petition, permit appeal, or enforcement case is not proceeding expeditiously to a conclusion, the Board may order that a hearing be scheduled within 21 and held within 60 days or the variance petition, permit appeal, or enforcement case will be subject to dismissal.

Written comments shall be accepted for 60 days from the date of this Proposed Order.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Proposed Order was adopted on the 21st day of February, 1980 by a vote of 4-0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board