

ILLINOIS POLLUTION CONTROL BOARD
April 9, 1992

THE CELOTEX CORPORATION,)
)
 Petitioner,)
)
 v.) PCB 90-197
) (Permit Appeal)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

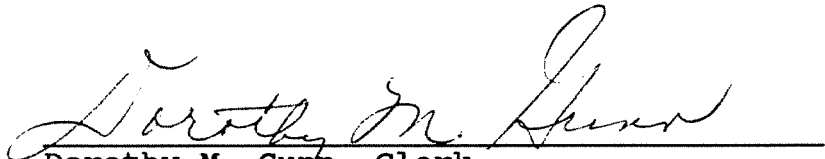
ORDER OF THE BOARD (by M. Nardulli):

On March 30, 1992, Celotex filed a motion for continuance of the hearing then set for April 1, 1992. On the same day, the Hearing Officer by letter cancelled the hearing and directed the parties to contact him to set a status call.

The Board agrees that hearing was appropriately cancelled in this case. The basis for the motion was the Agency's issuance of a draft NPDES permit which would resolve the issues in this matter. The parties have, in essence, requested a stay of this proceeding to allow completion of the public notice and comment procedures of 40 CFR 124. The Board will accordingly stay this proceeding through October 1, 1992. However, given the age of this case, the Board further directs that, in the event petitioner has not moved to dismiss this action on or before October 2, 1992, the hearing shall be scheduled by October 16, 1992, and held by December 16, 1992. If hearing has not been timely scheduled and held, the petition will be subject to dismissal.

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 9th day of April, 1992, by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board