

ILLINOIS POLLUTION CONTROL BOARD  
May 19, 1994

BOCKER CHEVROLET COMPANY,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 93-111
	)	(UST Fund Appeal)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

ORDER OF THE BOARD (by R.C. Flemal):

This matter comes before the Board on a May 16, 1994 motion for continuance which was referred to the Board for decision by the hearing officer in this case.

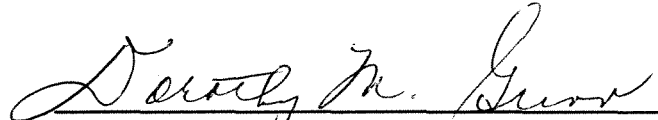
In a letter filed May 16, 1994 the hearing officer states that he cancelled the May 10, 1994 hearing that was scheduled in this matter because on April 29, 1994 he received a letter from the petitioner stating that the case had been settled and that a joint motion to dismiss would be filed shortly. A copy of that April 29 letter is attached to the hearing officer's letter. On May 9, 1994 after he had already cancelled the hearing, the hearing officer received a joint motion to continue the hearing. It is this joint motion which he referred to the Board and we now address.

The joint motion indicates that the parties have come to an agreement that the Illinois Environmental Protection Agency will reimburse Bocker Chevrolet Company (Bocker) \$11,160 of the costs subject to this appeal and that Bocker will not seek review of remaining costs contained in its amended petition. Bocker seeks to keep this matter open until it has received the above-stated amount from the UST Fund.

The Board directs the parties to show cause why this matter should not be dismissed since there are no pending issues to be decided by the Board. The parties shall file an appropriate document addressing this matter no later than June 8, 1994. The Board today makes no ruling on the motion to continue pending receipt of the filing(s).

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 19<sup>th</sup> day of May, 1994, by a vote of 6-0.

  
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Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board