

ILLINOIS POLLUTION CONTROL BOARD
August 11, 1994

STROH OIL COMPANY,)
)
 Petitioner,)
)
 v.) PCB 94-215
) (UST Fund)
 OFFICE OF THE STATE FIRE)
 MARSHAL,)
)
 Respondent.)

ORDER OF THE BOARD:

On August 8, 1994, Stroh Oil Company ("Stroh"), filed a petition for review of an Office of the State Fire Marshal ("OSFM") final eligibility and deductibility determination from the Underground Storage Tank Fund. The OSFM issued a final eligibility and deductibility decision on June 30, 1994, which contains the stated reasons for its decision. The final determination concerns Stroh's site located in Oakford, Menard County, Illinois. This matter is accepted for hearing.

The hearing must be scheduled and completed in a timely manner. The Chief Hearing Officer shall assign a hearing officer to conduct hearings. The Clerk of the Board shall promptly issue appropriate directions to the assigned hearing officer consistent with this order.

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. Any briefing schedule shall provide for final filings as expeditiously as possible.

If after appropriate consultation with the parties, the parties fail to provide an acceptable hearing date or if after an attempt the hearing officer is unable to consult with the parties, the hearing officer shall unilaterally set a hearing date. The hearing officer and the parties are encouraged to expedite this proceeding as much as possible.

This order will not appear in the Board's opinion volumes.

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 11th day of August, 1994, by a vote of 6⁻⁰.

Dorothy M. Gunn
Dorothy M. Gunn, Clerk
Illinois Pollution Control Board