

ILLINOIS POLLUTION CONTROL BOARD
January 21, 1993

DELTA AIR LINES, INC.,)
)
 Petitioner,)
)
 v.) PCB 92-41
) (Permit Appeal)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

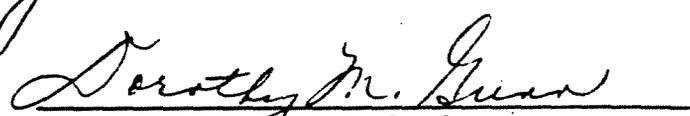
ORDER OF THE BOARD (by R.C. Flemal):

On December 17, 1992, the Board ordered the parties to this permit appeal to submit additional status reports. The parties filed a joint status report on January 19, 1993. The status report indicates that substantial progress has been made toward resolution of this matter.

The parties ask that they be required to file additional status reports to be received by the Board on or before February 26, 1993. While the Board recognizes that progress is being made that may not require a decision on the merits, this matter has a decision due date of April 1, 1993. That date means that the Board's latest opportunity to handle the matter would be at the Board's March 25, 1993 scheduled meeting date. The February 26, 1993 date for status reports may not give sufficient time for the Board to give notice of and hold a hearing or allow for submission of briefs prior to decision on the merits. The Board further notes that the Agency has not filed its record in this proceeding. Unless an amended waiver is received by the Board, the hearing officer is directed to schedule hearing in accordance with the current time constraints.

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 21st day of January, 1993, by a vote of 6-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board

0138-0417