

ILLINOIS POLLUTION CONTROL BOARD

October 3, 1996

COUNTY OF SANGAMON,	)	AC 94-28	AC 94-81
	)	AC 94-29	AC 94-82
Complainant,	)	AC 94-48	AC 94-90
	)	AC 94-49	AC 94-91
v.	)	AC 94-50	AC 94-95
	)	AC 94-51	AC 95-8
ESG WATTS, INC.,	)	AC 94-52	AC 95-18
	)	AC 94-58	AC 95-21
Respondent.	)	AC 94-59	AC 95-28
	)	AC 94-60	AC 95-29
	)	AC 94-61	
)		

(Administrative Citations)

ORDER OF THE BOARD (by M. McFawn):

These administrative citations are before the Board on several filings: complainant Sangamon County's motion to consolidate, filed with the Board in each of these matters on September 24, 1996; Sangamon County's motions for hearing, filed with the Board in each of these matters on either September 24 or 25, 1996; and respondent ESG Watts, Inc.'s (Watts) response to the petitioner's motions to consolidate and for hearing, filed on September 20, 1996.

On December 14, 1994, the Board issued an order consolidating the following cases for purposes of hearing: AC 94-28, AC 94-29, AC 94-48, AC 94-49, AC 94-50, AC 94-51, AC 94-52, AC 94-58, AC 94-59, AC 94-60, AC 94-61, AC 94-81, AC 94-82, AC 94-90, AC 94-91, and AC 94-95. In its September 24, 1996 motion to consolidate, Sangamon County seeks to add the following administrative citations to the consolidated cases: AC 95-8, AC 95-18, AC 95-21, AC 95-28, and AC 95-29. In support of the motion to consolidate, Sangamon County asserts that the administrative citations pertain to the same site and the same defendant, and have similar facts. Sangamon County further asserts that most of the administrative citations allege that Watts has violated Section 21(o)(5), (11), and (12) of the Environmental Protection Act (Act), and that the interests of justice and economy favor consolidation.

In support of its September 24 and 25, 1996 motions for hearing, Sangamon County states that, while the parties have been negotiating, and while substantial efforts have been made to resolve these matters, the parties have not been able to reach resolution. Sangamon County therefore asks that the matters be set for hearing.

In its September 20, 1996 response to the motions to consolidate and motions for hearing, Watts states that it has no objection to the proposed consolidation. Watts further states

that it has no objection to setting the matters for hearing. However, Watts suggests that a conference call be scheduled for the purposes of establishing a discovery and motion schedule.

The Board hereby consolidates these administrative citations for purposes of hearing. The Board makes no determination as to whether these cases will be consolidated for purposes of decision. The hearing officer is directed to schedule a hearing in this matter, and to schedule such discovery and motion schedules as are deemed necessary. The parties are reminded to amend the captions on all pleadings to reflect all consolidated cases.

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 _____ day of _____, 1996, by a vote of _____.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board