

ILLINOIS POLLUTION CONTROL BOARD
November 4, 1993

CENTRAL CAN COMPANY,)	
)	
Petitioner,)	
)	
v.)	PCB 92-176
)	(Permit Appeal)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

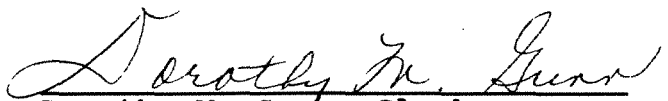
ORDER OF THE BOARD (by J. Theodore Meyer):

This matter is before the Board on its own motion. On October 7, 1993, petitioner Central Can Company (Central Can) filed a waiver of the decision deadline in this case. A decision in this case is now due on October 18, 1994. Substantive action on this case has been delayed several times, because Central Can has asked USEPA to review USEPA's interpretation of rules which are the subject of the instant permit appeal. In its October 7 filing, Central Can notes that in June 1993 USEPA stated that its national headquarters would need additional time to review the matter, and that USEPA has still not responded to Central Can's request for a response. Central Can contends that if an accord is reached with USEPA, it may not be necessary to proceed with this appeal.

The Board is sympathetic to Central Can's efforts to resolve this case without "prolonged litigation". However, we will not delay substantive action indefinitely. Central Can is directed to file a status report with the Board by February 4, 1994.

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 4th day of November, 1993, by a vote of 6-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board