

ILLINOIS POLLUTION CONTROL BOARD
December 2, 1993

PEOPLE OF THE STATE)
OF ILLINOIS,)
)
Complainant,)
)
v.) PCB 93-229
) (Enforcement)
HYDRAULIC RESEARCH CO.,)
an Illinois Corporation,)
d/b/a ACCURATE BRAKE AND)
CLUTCH EXCHANGE,)
)
Respondent.)

ORDER OF THE BOARD (by C. A. Manning):

This complaint was filed on November 19, 1993. On the same day, the parties filed a request for relief from the otherwise applicable requirement of Section 31(a)(1) of the Act (415 ILCS 5/31(a)(1)) that proposed stipulated settlements be presented at public hearing. Section 31(a)(2) (415 ILCS 5/31(a)(1)) provides in pertinent part as follows:

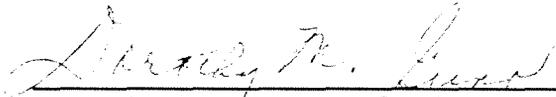
Notwithstanding the provisions of subdivision (1) of this subsection (a), whenever a complaint has been filed on behalf of the Agency or by the People of the State of Illinois, the parties may file with the Board a stipulation and proposal for settlement accompanied by a request for relief from the requirement of a hearing pursuant to subdivision (1). Unless the Board, in its discretion, concludes that a hearing will be held, the Board shall cause notice of the stipulation, proposal and request for relief to be published and sent in the same manner as is required for hearing pursuant to subdivision (1) of this subsection. The notice shall include a statement that any person may file a written demand for hearing within 21 days after receiving the notice. If any person files a timely written demand for hearing, the Board shall deny the request for relief from a hearing and shall hold a hearing in accordance with the provisions of subdivision (1).

The parties have also filed a motion for expedited review, requesting that this case be closed before December 31, 1994. The Board notes that, in response to the motion, the Clerk was directed to cause publication in advance of the issuance of this order. Publication was made on November 24, so that this case will be ripe for decisions at the Board's December 16 meeting.

The Board presently anticipates rendering its decision on that date in the event that no hearing requests are received during the statutory 21 day notice period.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, do hereby certify that the above order was adopted on the 7th day of December, 1993, by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board