

ILLINOIS POLLUTION CONTROL BOARD
January 21, 1993

SAFETY-KLEEN CORP.,)
)
Petitioner,)
)
v.) PCB 92-211
) (Permit Appeal)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

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

On January 13, 1993, Safety-Kleen Corporation filed its amended petition for permit review. This matter is accepted for hearing. To facilitate appropriate notice of hearing, the Illinois Environmental Protection Agency is directed to file with the Board, as soon as possible, any notice list it may have developed during the process of issuing any permit involved in this proceeding. The Board notes that on December xx, 1992, Safety-Kleen filed an open waiver of the Board's decision deadline.

Hearing must be scheduled within 14 days of the date of this order and completed within 60 days of the date of this order. The 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, and all actual exhibits to the Board within 5 days of the hearing. Any briefing schedule shall provide for final filings as expeditiously as possible and in no event later than 70 days from the date of this order.

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 in conformance with the schedule above. The hearing officer and the parties are encouraged to expedite this proceeding as much as possible.

Within 10 days of accepting this case, the hearing officer shall enter a hearing officer scheduling order governing completion of the record. That order shall set a date certain for each aspect of the case including: briefing schedule, hearing date(s), completion of discovery (if necessary) and pre-hearing conference (if necessary). The hearing officer scheduling order may be modified by entry of a complete new

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scheduling order conforming with the time requirements below.

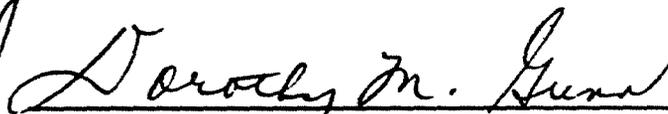
Any order by the hearing officer granting cancellation of hearing shall include a complete new scheduling order with a new hearing date at least 40 days in the future and at least 30 days prior to the new due date. The Clerk of the Board shall be promptly informed of the new schedule.

No motion to continue hearing shall negate the obligation of the hearing officer to establish a scheduling order pursuant to the requirements of this order, and to adhere to that order until modified.

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


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board

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