

ILLINOIS POLLUTION CONTROL BOARD
June 17, 1993

IN THE MATTER OF:)
)
PETITION OF QUANTUM CHEMICAL)
CORPORATION, USI DIVISION, FOR) AS 92-14
ADJUSTED STANDARD FROM 35 ILL. ADM.) (Adjusted Standard)
CODE 218.966 AND 218.986)

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

On June 14, 1993 the Illinois Environmental Protection Agency (Agency) filed a motion for extension of time to file its response in this matter. The Agency also asks for continuance of the hearing currently scheduled in this matter for June 30, 1993.

Relevant procedural history in this matter is that on December 7, 1992 Quantum Chemical Corporation, USI Division (Quantum), filed a petition for adjusted standard from 35 Ill. Adm. Code 218.966 and 218.986. Quantum then filed an amended petition on December 21, 1992, which caused the Agency to request additional information from Quantum and to move this Board for an extension of time to file its recommendation in light of the amended petition. On February 4, 1993 the Board granted the Agency's request for extension of time, causing the Agency's recommendation to thereby be due on or before June 21, 1993.

On May 17, 1993 Quantum filed a second amended petition, and the Agency has again requested additional information of Quantum and again moves the Board to extend the deadline for submission of its recommendation. The Agency states that it and Quantum have had numerous discussions and that they are close to agreement on the issues, which may result in an amended joint petition to be filed with the Board.

Additionally, a hearing is scheduled in this matter for June 30, 1993. Therefore, the Agency further requests that this hearing be continued. The Agency reports that Quantum does not object to the granting of the extension of time to file the Agency response or the granting of a continuance of the hearing.

The Board grants the Agency's motion for additional time to file its recommendation. The Board appreciates the fact that parties wish to negotiate to limit the issues at hearing or resolve the matters prior to hearing.

As regards the hearing, the Board grants continuance. However, it must be noted that the hearing had been set and newspaper notice had been given. Cancellation of a hearing that

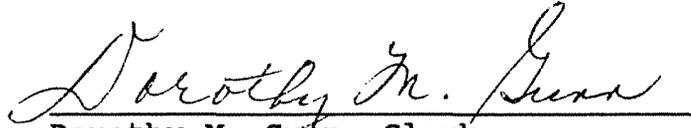
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has already been noticed both wastes the State's resources and misinforms the public. It is the responsibility of the parties to proceed with this matter in a timely fashion, yet not to seek cancellation of hearings after notice has been published without substantial justification.

The Agency shall file its response to Quantum's petition on or before August 16, 1993. The Board disfavors any further requests by the parties that would cause cancellation of newspaper noticed hearings. The hearing officer is directed to continue the hearing to a future date consistent with this order.

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 17th day of June, 1993, by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board