

ILLINOIS POLLUTION CONTROL BOARD  
October 10, 1991

ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY and	)	
PEOPLE OF THE STATE	)	
OF ILLINOIS,	)	
	)	
Complainants,	)	PCB 86-160
	)	(Enforcement)
v.	)	
	)	
FITZ-MAR, INC., a corporation,	)	
	)	
Respondent.	)	

ORDER OF THE BOARD (by J. Anderson):

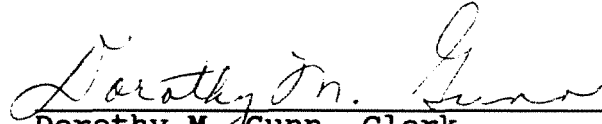
On September 27, 1991, the Cook County States Attorney, on behalf of the People of the State of Illinois, filed a letter with the Board asking for the "maximum additional time acceptable to the Board" in which to submit the executed stipulation and proposal for settlement in this matter. In support of its request, the States' Attorney notes that although the parties agreed at the June 28, 1991 hearing in this matter to submit the executed stipulation by August 12, 1991, the Attorney General's Office and the Illinois Environmental Protection Agency are still completing their review of the stipulation.

We wish to remind the parties that they are expected to have their stipulation and proposal for settlement signed for presentation at hearing. (See 35 Ill. Adm. Code 103.180(a)). In the instant case, the Hearing Officer gave the parties an additional 45 days from the date of hearing in which to submit their executed stipulation because the parties represented that they had reached a settlement and were simply awaiting signatures and final approval of the agreement. In addition, the Board issued an Order on September 12, 1991, which, in effect, gave the parties another 43 days (from August 12, 1991 to September 24, 1991) to submit the executed stipulation. We believe that we have been more than generous in giving the parties an additional 88 days in which to submit an executed copy of a settlement that was already agreed to at the time of hearing.

As a final note, the Board wishes to point out that this case was initially filed on September 30, 1986, and that the June 28, 1991 hearing was the third scheduled hearing in this matter. Accordingly, in light of the above, the Board denies the States Attorney's request for another extension and directs the Hearing Officer to set this matter for hearing on the merits by November 11, 1991, and to conclude all such hearings no later than December 15, 1991.

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 104 day of October, 1991, by a vote of 7-0.

  
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Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board