

ILLINOIS POLLUTION CONTROL BOARD  
October 11, 1990

PEOPLE OF THE STATE )  
OF ILLINOIS, )  
 )  
Complainant, )  
 )  
v. ) PCB 89-159  
 ) (Enforcement)  
CROWN CORK & SEAL CO., INC., )  
a New York Corporation, )  
 )  
Respondent. )

ORDER OF THE BOARD (by J. Anderson):

On July 10, 1990, hearing was held in this matter. At such time, the parties stated on the record that they had reached a settlement agreement, but were awaiting signatures and final approval of the agreement. Because the parties anticipated submission of the fully executed agreement within thirty days of the hearing, the Hearing Officer stated that the parties should submit the agreement on or before August 9, 1990.

On September 13, 1990, the Board issued an order noting that it had not received the executed stipulation and proposal for settlement. It also stated that if the parties did not file the executed stipulation and proposal for settlement on or before September 24, 1990, it would set the matter for hearing.

As of this date, the Board has not received an executed stipulation and proposal for settlement. Accordingly, the Board orders this matter to be set for hearing.

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 factual 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.

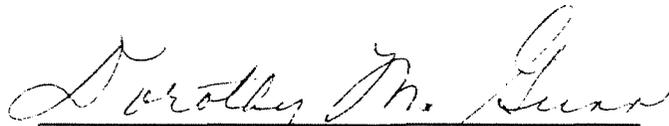
Within 10 days of accepting this case, the Hearing Officer shall enter a Hearing Officer Scheduling Order governing completion of the record. That Order shall set a date certain for each aspect of the case including: briefing schedule, hearing date(s), completion of discovery (if necessary) and pre-hearing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

Any motion for extension or modification must set forth an alternative schedule for notice, hearing, and final submissions, as well as the deadline for decision, including response time to such a motion. However, no such motion 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.

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 11<sup>th</sup> day of October, 1990, by a vote of 6-0.

  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board