

ILLINOIS POLLUTION CONTROL BOARD
December 5, 1985

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Petitioner,)
)
v.) PCB 84-118
)
RICHARD C. MC CORMICK,)
)
Respondent.)

ORDER OF THE BOARD (by B. Forcade):

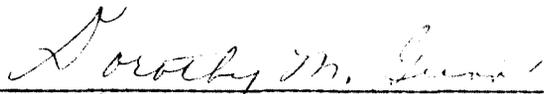
On November 20, 1985, the Respondent filed a Motion to Reconsider Sanctions which were imposed upon the Respondent by the Board on September 20, 1985, for failure to comply with discovery requests. Petitioner filed an Objection to the Respondents Motion to Reconsider Sanctions on November 21, 1985.

The Respondent's motion alleges several explanations for their failure to comply with discovery. However, the Respondent has failed to provide any proof of compliance, such as affidavits or other verification, to support its allegations. Therefore, the Respondent, as the moving party, has failed to meet its burden of proof to prevail on its Motion To Reconsider Sanctions.

The Respondent's Motion to Reconsider Sanctions is hereby denied. The Agency's November 21, 1985, motion for expedited hearing is referred to the Hearing Officer.

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 5th day of December, 1985, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board