

ILLINOIS POLLUTION CONTROL BOARD
December 7, 2000

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 01-83
)	(Enforcement - RCRA)
INDIANA HARBOR BELT RAILROAD)	
COMPANY and ACN INTERNATIONAL,)	
INC.,)	
)	
Respondents.)	

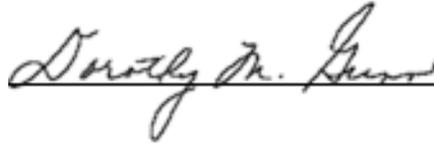
ORDER OF THE BOARD (by C.A. Manning):

On November 21, 2000, the People of the State of Illinois filed a five-count complaint against the respondents. The complaint alleges respondents caused or allowed open dumping of waste and litter, conducted a waste disposal operation without a permit, and failed to make a special waste determination and a hazardous waste determination at the facility located at 138th and Ashland Avenue in the City of Riverdale, Cook County, Illinois. These activities were in alleged violation of Sections 21(a), (d)(1), (d)(2), (e), and (p) of the Environmental Protection Act (Act) (415 ILCS 5/21(a), (d)(1), (d)(2), (e), (p) (1998)) and the Board's waste disposal regulations at 35 Ill. Adm. Code 722.111 and 808.121. The Board accepts this matter for hearing.

The Board directs that this matter proceed to hearing as expeditiously as practicable. The assigned hearing officer must set the matter for hearing in accordance with the requirements of the Act and the Board's procedural rules. Accordingly, this matter must be set for hearing within 90 days after the filing of the complaint unless the hearing officer, after appropriate consultation with the parties, determines that a later date is appropriate and that no undue delay or material prejudice in the resolution of this matter would result. See 35 Ill. Adm. Code 103.125(a). In any event, it is the responsibility of the hearing officer to guide the parties toward prompt resolution or adjudication of this matter, through whatever status calls and hearing officer orders he determines are necessary and appropriate.

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 7th day of December 2000 by a vote of 7-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", written over a horizontal line.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board