

ILLINOIS POLLUTION CONTROL BOARD
October 23, 1986

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complaint,)
)
v.) PCB 86-32
)
CITY OF SYCAMORE, a municipal)
corporation,)
)
Respondent.)

ORDER OF THE BOARD (by J. D. Dumelle):

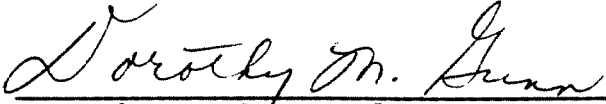
This matter comes before the Board upon an October 14, 1986 emergency motion for continuance filed on behalf of the Illinois Environmental Protection Agency (Agency). In that motion the Agency states that "this matter is being brought directly to this Board due to the urgency of Complainant's needs and due to certain clear and unequivocal statements made by the hearing officer, Marvin Medintz, to movant's counsel, to wit; that he would deny any and all motions by the state to continue the hearing of this case, regardless of the justifiability of those motions." (Motion, pp. 2-3).

Based upon a review of the motion and a lack of objection by the City of Sycamore which was conveyed to the Board by telephone, Board Members Anderson, Meyer, Marlin and Flemal agreed that the motion should be referred to the hearing officer and that he should be advised to grant it. He did so, thereby mooting the motion before the Board.

The emergency motion is hereby denied as moot.

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 23rd day of October, 1986 by a vote of 6-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board