

ILLINOIS POLLUTION CONTROL BOARD
December 29, 1983

In the matter of:)
)
G. D. SEARLE & CO. AND SEARLE) R83-14
FOOD RESOURCES, INC., AND PARK)
FOREST SOUTH UTILITIES COMPANY)

ORDER OF THE BOARD (by D. Anderson):

This matter concerns a petition for adoption of a site-specific water quality rule filed by G. D. Searle & Co., Searle Food Resources, Inc. (Searle) and Park Forest South Utilities Company (PFSU). The proposal concerns discharges of total dissolved solids, chloride and sulfate from Searle's aspartame production facility in Park Forest South to sewers owned by PFSU.

The proposal was filed on June 3, 1983. In response to the Hearing Officer's efforts to schedule a hearing, the proponents on October 28, 1983 filed a motion for continuance, requesting a delay until after resolution of the related variance petition in PCB 83-73. On November 17, 1983 the Hearing Officer granted the continuance through December, 1983, after the due date of the related variance petition.

On November 21, the Hearing Officer wrote a letter to the participants suggesting hearing dates in January and February, 1984. On November 28 the proponents requested a further delay pending completion of studies Searle had offered to undertake as a condition of the variance in PCB 83-73. These studies would not be available until after a delay of two years. On December 15, 1983 the Illinois Environmental Protection Agency filed a motion to dismiss, citing the November 28 letter as proof that the proponents were not ready to proceed. On December 28, 1983 proponents filed a response asking that the petition not be dismissed and indicating that they would be ready to commence hearings in June of 1984.

Keeping tentative proposals on the docket while the proponent gathers sufficient information to present at merit hearings imposes a significant administrative burden on the Board. Furthermore, it may force the Department of Energy and Natural Resources to prematurely commence work on an economic impact study. In the past the Board has dismissed such proposals where the proponent is not actually ready to go forward to merit hearings (Rowe Foundry, R81-15, 48 PCB 199, September 15, 1982).

The Board finds that the proponents are not ready to go forward with this matter. The motion to dismiss is granted, with leave to refile at such time as proponents are ready to proceed.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 29th day of December, 1983 by a vote of 7-0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board