

ILLINOIS POLLUTION CONTROL BOARD

January 19, 1978

ENVIRONMENTAL PROTECTION AGENCY,)
)
 Complainant,)
)
 v.) PCB 75-112
)
 METROPOLITAN SANITARY DISTRICT OF)
 GREATER CHICAGO,)
)
 Respondent.)

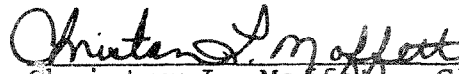
ORDER OF THE BOARD (by Mr. Goodman):

On January 9, 1978, the Environmental Protection Agency (Agency) filed a Motion to Strike certain letters addressed to the Board by the Hearing Officer and a Motion to Reconsider the Board's Order of November 23, 1977, allowing the Hearing Officer to chair a negotiating session between the parties herein. First, the Board notes that, although copies of the Hearing Officer's letters were sent to the Agency, no response to the Hearing Officer's request to chair a negotiating session was filed with the Board until this Motion for Reconsideration was filed, a month after a negotiating session was held. Furthermore, regardless of the contents of the Hearing Officer's letter of November 21, 1977, the lengthy record already developed in this case indicated to the Board that an attempt at negotiation chaired by the Hearing Officer would benefit the public as well as the parties. The Motion for Reconsideration is denied. Finally the Board is fully capable of distinguishing between evidentiary and non-evidentiary documents in its files. The Motion to Strike is denied.

IT IS SO ORDERED.

Mr. Young abstains.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 19th day of January, 1978 by a vote of 4-0.


Christan L. Moffett, Clerk
Illinois Pollution Control Board