

ILLINOIS POLLUTION CONTROL BOARD  
January 5, 1989

|                        |   |             |
|------------------------|---|-------------|
| FRED E. JURCAK         | ) |             |
|                        | ) |             |
| Petitioner,            | ) |             |
|                        | ) |             |
| v.                     | ) | PCB 85-137  |
|                        | ) | (On Remand) |
| ILLINOIS ENVIRONMENTAL | ) |             |
| PROTECTION AGENCY,     | ) |             |
|                        | ) |             |
| Respondent.            | ) |             |

ORDER OF THE BOARD (by M. Nardulli):

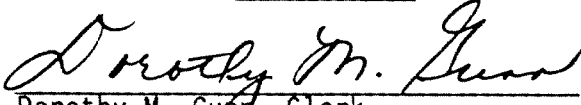
This matter comes before the Board on a September 4, 1985 Permit Appeal filed on behalf of the Petitioner, Fred Jurcak (Jurcak). The Permit Appeal asked the Board to review conditions proposed by the Illinois Environmental Protection Agency (Agency) for an NPDES permit to allow Jurcak to operate a sewage treatment plant to service a mobile home park to be developed by Jurcak. One of the contested conditions would require Jurcak to connect to the Village of Frankfort's Sewage Treatment Plant within one year after the Village's Sewage Treatment Plant expansion is completed. The record indicates that the expansion of the Village's water treatment facility was completed in the summer of 1988.

A public hearing was held on this matter on July 15, 1988. Based on statements made at the hearing, there are indications that the contested permit condition may no longer be at issue either because the Agency would no longer require the condition in the NPDES permit or because the Petitioner no longer plans to seek a permit. At hearing, the hearing officer established a briefing schedule, however, neither party has submitted post-hearing briefs.

The Board hereby orders that the parties submit post-hearing briefs in order to inform the Board of the present status of this case and to indicate what issues or conditions the Board is being asked to review. The Board orders the Petitioner to file his brief by February 1, 1989, that the Respondent file its brief by February 15, 1989 and that the Petitioner file his reply brief by February 22, 1989. The parties are hereby forewarned that failure to comply with the new briefing schedule may result in a dismissal of this matter by the Board.

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 5<sup>th</sup> day of January, 1989, by a vote of 7-0.

  
Dorothy M. Gunn, Clerk,  
Illinois Pollution Control Board