

ILLINOIS POLLUTION CONTROL BOARD
June 7, 1990

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 90-73
)	(Enforcement)
ILLINOIS CEMENT COMPANY,)	
an Illinois corporation,)	
)	
Respondent.)	

ORDER OF THE BOARD (by J. Anderson):

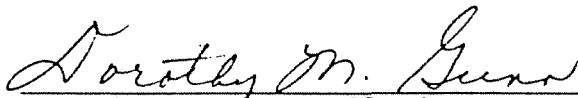
On June 4, 1990, Complainant, by the Attorney General, filed a motion to continue hearing for 120 days. Complainant stated that it "is informed and believes that the respondent does not object to the continuance of this matter." The Board's procedural rules at 35 Ill. Adm. Code 103.125, provide that the Hearing Officer "shall set a time and place for hearing to be held within 90 days after the filing of the complaint unless the Board orders otherwise". The complaint in this case was filed on April 20, 1990; therefore granting this motion will result in a hearing being held more than 90 days after the complaint was filed.

Complainant has indicated that settlement negotiations had been proceeding in this matter and an impasse was reached. Complainant is therefore requesting this continuance so that it may prepare for a contested case including the filing of interrogatories and discovery depositions. The motion is hereby granted.

IT IS SO ORDERED.

Board Members J. Theodore Meyer and M. Nardulli dissented.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 7th day of June, 1990, by a vote of 5-2.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board