

ILLINOIS POLLUTION CONTROL BOARD
June 17, 1998

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
v.) PCB 97-207
) (Enforcement - Air - Land)
INSPIRATION DEVELOPMENT)
COMPANY, a Delaware corporation,)
)
Respondent.)

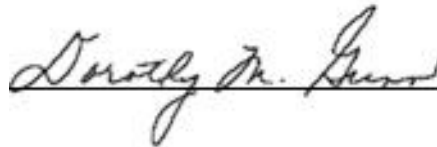
ORDER OF THE BOARD (by C.A. Manning):

On May 20, 1997, complainant filed a five-count complaint against Inspiration Development Company (Inspiration Development). On April 20, 1998, Inspiration Development filed an answer including five affirmative defenses. On April 22, 1998, complainant filed a motion to strike the affirmative defenses. On June 4, 1998, complainant filed an agreed motion to stay complainant's motion to strike affirmative defenses. On June 8, 1998, Inspiration Development filed an agreement stating that it concurs with the stay. The parties state they are presently engaging in settlement negotiations and request that the proceedings be stayed pending a forthcoming July 10, 1998, prehearing conference. If the parties do not reach an agreement, they request that Inspiration Development be allowed 14 days to respond to the motion to strike.

Though the agreed motion was filed well past the time required to file a response, the Board believes no undue prejudice will result in granting the agreed motion. Accordingly, the Board grants the motion to stay the pending motion to strike affirmative defenses for 30 days through and including July 17, 1998. Unless the Board receives notice that the parties have reached a settlement agreement, the Board orders that Inspiration Development respond to the motion to strike affirmative defenses by July 31, 1998.

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 17th day of June 1998 by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board