

ILLINOIS POLLUTION CONTROL BOARD
August 12, 2004

BOARD OF TRUSTEES OF SOUTHERN)	
ILLINOIS UNIVERSITY GOVERNING)	
SOUTHERN ILLINOIS UNIVERSITY,)	
EDWARDSVILLE,)	
)	
Petitioner,)	
)	
v.)	PCB 02-105
)	(NPDES Permit Appeal)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

HEARING OFFICER ORDER

On August 12, 2004, the parties participated in a telephone status conference with the hearing officer. Petitioner requested a deadline of November 1, 2004, for completion of written discovery, and a deadline of December 1, 2004 for completion of depositions. These are the first discovery deadlines set, as the main delay in this case was due to an extensive monitoring study. Respondent argued that these dates are unreasonably long, and that discovery is not necessary because the record should stand on its own. Respondent further asserted that the only issue here is a question of law. Petitioner argued that it cannot determine whether there are questions of fact without discovery. Petitioner's discovery deadline requests are granted. Pursuant to Section 101.516 of the Board's procedural rules, respondent may file its motion for summary judgment before December 1, 2004.

The parties are directed to participate in a telephone status conference with the hearing officer at 10:00 a.m. on December 2, 2004. The status conference shall be initiated by the petitioner. At the status conference, the parties must be prepared to discuss the status of the above-captioned matter.

There is an open waiver of the decision deadline in this matter.

IT IS SO ORDERED.

Carol Sudman

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