

ILLINOIS POLLUTION CONTROL BOARD
June 23, 1994

CENTRAL CAN COMPANY,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 92-176
	)	(Permit Appeal)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

ORDER OF THE BOARD (by J. Theodore Meyer):

This matter is before the Board on a joint motion for continuance, filed on June 14, 1994. Central Can Company and the Illinois Environmental Protection Agency (Agency) seek an extension of the October 1, 1994 deadline for completion of all hearings in this matter. The Board established that deadline in a March 17, 1994 order.

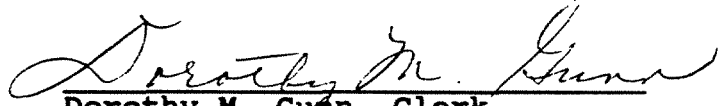
The parties state that since November 1992, they have been corresponding with the United States Environmental Protection Agency (USEPA) regarding the Agency's interpretation of the regulations cited in denying Central Can's permit application. On May 31, 1994, a representative of USEPA informed Central Can that USEPA would allow a "site-specific state implementation plan (SIP) revision" for Central Can's coating operations. On June 6, 1994, Central Can received a copy of a memorandum between USEPA's Region V office and USEPA's Washington headquarters. As a result, the parties contend that they need additional time to analyze the USEPA memo and decide upon a course of action. The parties believe that USEPA's position on the issue, as described in the USEPA memo, may resolve all issues in this appeal and negate the necessity of proceeding to hearing in this matter. Central Can and the Agency state that they understand the Board's urgency in completing this proceeding, but maintain that proceeding to hearing without fully exploring USEPA's position may result in an inefficient use of the Board's, the Agency's, and Central Can's resources.

The motion for continuance is granted. USEPA has, after a year and a half, responded to Central Can's inquiries, and it appears that the response may resolve this proceeding. Therefore, the requirement that all hearings be completed by October 1, 1994 is vacated. We continue to believe, however, that substantive action on this case cannot be delayed indefinitely. The parties are ordered to file status reports, either jointly or separately, no later than September 30, 1994. The status reports shall include detailed information on the progress of the case, including the status of any further

discussions with USEPA and an anticipated schedule for further action.

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 23rd day of June, 1994, by a vote of 6-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board