

ILLINOIS POLLUTION CONTROL BOARD  
April 21, 1994

MOLINE/DUTCHWAY DRY CLEANERS,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 92-102
	)	(UST Fund)
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,	)	
	)	
Respondent.	)	

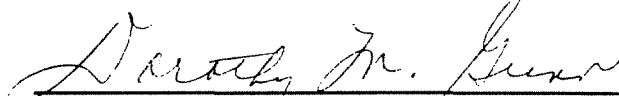
ORDER OF THE BOARD (by J. Theodore Meyer):

This matter is before the Board on an April 18, 1994 status report filed by petitioner Moline/Dutchway Dry Cleaners (Dutchway). Dutchway states that the reimbursement denial at issue in this case is based upon a finding that the underground storage tanks (USTs) at the site were not registered, and states that based upon a review of files of both the Illinois Environmental Protection Agency (Agency) and the Office of the State Fire Marshal (OSFM), it appears that there are two sets of OSFM facility numbers for the site and two sets of incident numbers for the site. Dutchway states that its attorney and its consulting engineer believe that there is a good faith basis for continuing to pursue the appeal, and that Dutchway may be able to satisfy information requests by the Agency without proceeding to a hearing in this matter. Dutchway states that it needs additional time to obtain information from past owners of the property, and asks that the Board allow it an additional 120 days to attempt further settlement negotiations and obtain necessary documentation.

The Board accepts Dutchway's status report. We will grant a temporary 120-day stay of this proceeding, to allow Dutchway to continue its investigation and settlement attempts. Dutchway is directed to file an updated status report, or a settlement agreement, with the Board no later than August 22, 1994.

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 21<sup>st</sup> day of April, 1994, by a vote of 6-0.

  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board