

ILLINOIS POLLUTION CONTROL BOARD
February 6, 1992

IN THE MATTER OF:)
)
PETITION OF THE CITY OF) AS91-13
ROCK ISLAND FOR AN) (Adjusted Standard)
ADJUSTED STANDARD FROM)
35 ILL. ADM. CODE 304)

ORDER OF THE BOARD (by R. C. Flemal):

This matter concerns a petition for adjusted standard from certain of the Board's effluent limitations. The matter comes before the Board on a motion filed by the City of Rock Island (Rock Island) to reschedule hearing, and upon a motion filed by the Illinois Environmental Protection Agency (Agency) for extension of time to file its response to the petition. A hearing in this matter was set for March 3, 1992, by hearing officer order.

In support of its motion, Rock Island states that it has recently become aware that the Illinois Department of Conservation (DOC) expressed concern over the discharge point proposed in its petition. The concern is that the proposed discharge point is in or near a designated mussel sanctuary. Rock Island states that DOC will need time to evaluate the petition to determine what impact, if any, that the proposed discharge point would have on the mussel sanctuary, and that Rock Island will need time to respond to DOC's concerns. Rock Island submits that it would be premature to hold a hearing on March 3, 1992, in light of these developments. Rock Island states that a waiver of the 120-day decision deadline has been provided as Exhibit B to this motion.

The Agency's motion relates similar information on DOC's interest in the discharge point, and requests a 90-day extension of time for it to file its response to the petition.

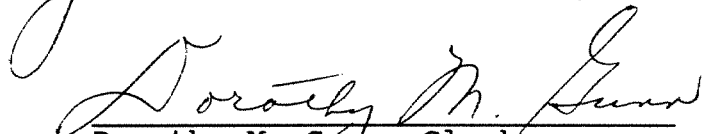
Neither Rock Island nor the Agency pose any objections to each other's motions.

The Board believes that grant of Rock Island's motion to reschedule the hearing is warranted and will be in the interest of administrative economy. The motion to reschedule the hearing is hereby granted. The hearing officer is directed to reschedule the hearing in this matter after consultation with the parties and within the timeframe provided by the statutory deadline and waiver. The Board also grants the Agency's motion for an

additional 90 days to file its response to Rock Island's petition.

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 6th day of February, 1992, by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board