

ILLINOIS POLLUTION CONTROL BOARD
February 16, 1995

AMERICA'S CARWASH-HP, INC.,)
)
 Petitioner,)
)
 v.) PCB 94-391
) (UST Appeal-Land)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
 Respondent.)

ORDER OF THE BOARD (by J. Yi):

This matter is before the Board on petitioner's December 29, 1994 appeal of the Illinois Environmental Protection Agency's (Agency) decision to deny a request for closure of the site and approval of its site classification and corrective action report. On January 24, 1995, petitioner filed a motion for stay of proceedings and a 120-day waiver of the statutory decision deadline. Petitioner is requesting a 120-day stay in this matter because it believes that the issues presented in this case can best be resolved through a negotiated settlement. The petitioner's filing of a waiver of the decision deadline extends the deadline until August 26, 1995, and the request for the motion for stay of the proceedings would run until May 24, 1995.

Given the waiver of the decision deadline until August 26, 1995, the Board grants a stay in this matter until April 28, 1995, which allows the Board sufficient time, if necessary, to process this case prior to the new decision deadline. The petitioner may petition the hearing officer for an extension of the stay, providing an appropriate waiver of the decision deadline is also filed with the Board.

The hearing officer assigned to this matter issued an order on January 25, 1995, directing the parties to file status reports on or before February 28, 1995 and April 28, 1995. The Board directs the parties to file requests for extensions of the stay in this matter with the assigned hearing officer.

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 16th day of February, 1995, by a vote of 7-0.

Dorothy M. Gunn

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board