

ILLINOIS POLLUTION CONTROL BOARD
April 27, 1989

IN THE MATTER OF:)
)
JAMES ESAREY,) AC 88-90
) (IEPA Case No. 9212-AC)
Respondent.)

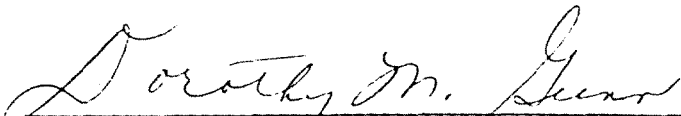
INTERIM ORDER OF THE BOARD (by J. Marlin):

On October 31, 1988, James Esarey ("Esarey") filed a petition for review of an administrative citation issued by the Illinois Environmental Protection Agency ("Agency") on October 12, 1988. On February 24, 1989, the Board received the transcript for the second and final hearing held on February 3, 1989 in this matter. Pursuant to the hearing officer's briefing schedule, the Agency was required to submit its brief 21 days after receiving the transcript from the Board and Esarey was required to submit a brief 21 days thereafter.

To date, no briefs have been submitted and no motions have been filed. Since the 21 day deadline to submit the brief has passed, the Board, on its own motion, hereby orders that the Agency submit brief by May 8, 1989 or be subject to sanctions, including dismissal of this case.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Interim Order was adopted on the 27th day of April, 1989, by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board