

ILLINOIS POLLUTION CONTROL BOARD
June 17, 1993

IN THE MATTER OF:)
)
) PCB 92-110
TRADE SECRET CLAIM BY) (Trade Secret)
THE GRIGOLEIT COMPANY, an) (also see PCB 90-135)
Illinois Corporation.)

ORDER OF THE BOARD (by J. Anderson):

On June 4, 1993, The Grigoleit Company (Grigoleit) filed a status report in response to the Board's March 25, 1993 order and a motion to continue. In its March 25, 1993 order, the Board directed the parties to file status reports with the Board by May 5, 1993.

In its motion, Grigoleit requests the Board to continue this matter and require the parties to file a status report on or before July 16, 1993. Grigoleit asserts that such extension will provide it with additional period to determine what course of action it intends to follow in this matter.

In support of its request, Grigoleit states that it has participated in a series of settlement negotiations with the State which would, if successful, culminate in the settlement of this case as well as the following three cases: PCB 90-135, The Grigoleit Company v. Illinois Environmental Protection Agency; PCB 91-157, People of the State of Illinois v. The Grigoleit Company; and PCB 92-23, The Grigoleit Company v. Illinois Environmental Protection Agency.

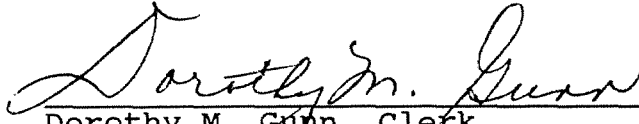
Grigoleit adds that the Illinois Environmental Protection Agency (Agency) notified Grigoleit on May 19, 1993, that it was postponing settlement negotiations with respect to PCB 92-23, pending a decision to seek appeal of the Fourth District Appellate Court decision in 4-92-0029 (i.e., the appeal of PCB 89-184). The telephone notification was followed by a letter of the same date in which the Agency postponed settlement negotiations in the above-mentioned cases. Grigoleit notes that the Agency's decision to postpone settlement discussions was made without prior consultation with Grigoleit and, in Grigoleit's opinion, had the effect of unilaterally terminating settlement discussions in all matters before the Board.

In light of the above, the Board grants Grigoleit's motion to continue. The Board notes that this is the sixth motion to continue this matter. Accordingly, the Board cautions Grigoleit that it will not continue this matter indefinitely and that it expects the parties to expeditiously pursue a resolution of this case. The parties are directed to file status reports in this matter. Such status reports are to be received by the Board no later than July 16, 1993.

0143-0175

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 17th day of June, 1993, by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board