

ILLINOIS POLLUTION CONTROL BOARD
June 20, 2019

GAUTSCHY'S CORNER,)	
)	
Petitioner,)	
)	
v.)	PCB 18-56 (UST Appeal)
)	PCB 18-60 (UST Appeal)
ILLINOIS ENVIRONMENTAL)	PCB 19-109 (UST Appeal)
PROTECTION AGENCY,)	(Consolidated)
)	
Respondents.)	

ORDER OF THE BOARD (by A. Palivos):

On May 30, 2019, the Board accepted this underground storage tank appeal for hearing. On the same day, Gautschy's Corner moved to consolidate this UST appeal with two other consolidated appeals. *See Gautschy's Corner v. Illinois Environmental Protection Agency*, PCB 18-56, PCB 18-60 (consol.). Gautschy's Corner argues that consolidation is appropriate because this case involves similar factual issues, the same parties, the same site, and the same burden of proof as PCB 18-56 (consol.). The Illinois Environmental Protection Agency (Agency) did not respond to the motion.

The Board finds the parties, the leaking UST site, and the burden of proof are the same in both appeals. On this record, the Board finds that consolidating the appeals "is in the interest of convenient, expeditious, and complete determination of claims" and "would not cause material prejudice to any party." 35 Ill. Adm. Code 101.406. All future filings must reflect this order's amended caption.

IT IS SO ORDERED.

I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on June 20, 2019, by a vote of 5-0.



Don A. Brown, Clerk
Illinois Pollution Control Board