ILLINOIS POLLUTION CONTROL BOARD
May 6, 1976

HYON WASTE MANAGEMENT SERVICES, INC., Petitioner,	)	
v.	)	PCB 75-413
ENVIRONMENTAL PROTECTION AGENCY, Respondent.	)	

ORDER OF THE BOARD (by Mr. Zeitlin):

The Board's principal Opinion and Order in this matter was entered on April 8, 1976. On April 20, 1976 the Environmental Protection Agency filed a Motion to Reconsider that Opinion and Order, to which Petitioner Hyon responded on April 30, 1976.

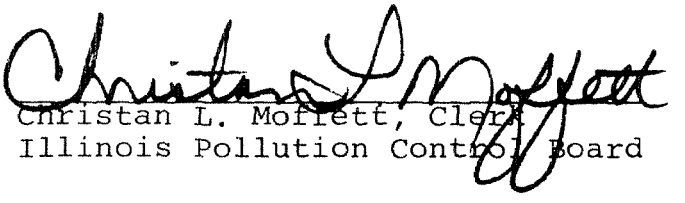
The Agency's Motion asks that the Board reverse itself on the issue of the application of Rule 203(e)(2) of Chapter 2: Air Pollution, or, in the alternative, to drop language in the Opinion on the applicability of other particulate Regulations. We will do neither. We need note here only that the Agency's principal brief in this matter, at p. 13, asked specifically for guidance on the applicable particulate regulation; we found that none were applicable to Hyon's facility. The Agency's Motion must be denied.

IT IS SO ORDERED.

Mr. Jacob Dumelle dissented.

Mr. James Young abstained.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Final Order was adopted on the 6th day of May, 1976, by a vote of 3-1.



Christan L. Moffett, Clerk
Illinois Pollution Control Board