

ILLINOIS POLLUTION CONTROL BOARD
September 4, 1975

ENVIRONMENTAL PROTECTION AGENCY,)
Complainant,)
)
and)
)
REVEREND LOUIS HEMMERICH, et al.,)
Complainants,)
)
v.) PCB 71-4
) PCB 71-33
) PCB 72-85
)
LLOYD A. FRY ROOFING COMPANY,)
Respondent.)

ORDER OF THE BOARD (by Mr. Dumelle):

The Petition for Rehearing of the Board's Opinion and Order entered on July 31, 1975 is denied. The request that the penalty in the case be vacated is also denied. The information that Lloyd A. Fry Roofing Company bases the Motion for Rehearing and Vacation of the Penalty is outside of the record of the hearings compiled by the Board in reaching its prior determination and outside of the record presented to the First District Appellate Court on appeal.

IT IS SO ORDERED.

Mr. Henss dissents.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 4th day of September, 1975 by a vote of 3-1.


Christan L. Moffett, Clerk
Illinois Pollution Control Board