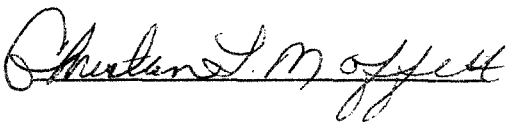
ILLINOIS POLLUTION CONTROL BOARD
March 28, 1972

NORTH SHORE SANITARY DISTRICT	)	
	)	
	)	
v.	)	# 71-36
	)	
	)	
ENVIRONMENTAL PROTECTION AGENCY	)	

Supplementary Order of the Board (by Mr. Currie):

Following Appellate Court reversal of our order denying this variance from the phosphorus standards applicable to Lake Michigan, we re-examined the evidence and again denied the variance, interpreting the reversal as a remand for further proceedings because the court had held we had relied on matters not in the record before the court (March 7, 1972). Subsequently we received an amended order from the court indicating that in reversing it had intended to grant the variance . We have authorized an appeal from that amended order. In the meantime, however, the District has moved that we withdraw the March 7 order on the ground that it is contrary to the court's revised order. It clearly is inconsistent and therefore is hereby vacated without prejudice to the rights of the Board in further judicial review. We may not deny what the court has granted.

I, Christan Moffett, Clerk of the Pollution Control Board, certify that the Board adopted the above Supplementary Order this 28th day of March, 1972, by a vote of 5-0.