

ILLINOIS POLLUTION CONTROL BOARD  
January 24, 1972

ENVIRONMENTAL PROTECTION AGENCY )  
 )  
 v. ) #71-25  
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 CITY OF MARION )  
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 CITY OF MARION )  
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 v. ) #71-225  
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 ENVIRONMENTAL PROTECTION AGENCY )

Order of Board on Motion for Stay (by Mr. Currie):

On October 28, 1971 we entered an order approving the City's program for upgrading its sewage plant, on several conditions, some of which have been appealed. The City asks a stay pending appeal, and the Agency asks us to deny it. The Agency's response does not deal with what we deem a central issue in this motion, namely, the allegation in the accompanying affidavit that the Agency has denied a permit for the proposed improvements and therefore that the posting of the required bond will result in automatic forfeiture of a **substantial sum**. If the program has been installed for insufficiency of the plans submitted, we need to know that and to modify our order accordingly. We cannot intelligently pass on the City's motion in the absence of such information. Action on the motion is therefore deferred pending receipt of additional information on that issue from the Agency and its recommendation, if any for revision of the order.

I, Christan L. Moffett, Clerk of the Pollution Control Board certify that the Board adopted the above order this 24th day of January, 1972 by a vote of 3-0.

Christan L. Moffett