ILLINOIS POLLUTION CONTROL BOARD November 11, 1971

А. Е.	. STALEY	MANUFACTURIN	IG CO.)		
	v.)))	PCB	71-174
ENVIR	RONMENTAL	PROTECTION	AGENCY)		

Order on Motion for Stay:

Our order of September 30, 1971 approved the company's revised program for complying with the particulate emission regulations on certain conditions, among which was a further hearing on the question of odors, which was raised in the Agency's recommendation. The company has appealed this condition and asks us to stay it pending appeal. We deny the motion.

A stay would mean the Board cannot explore the question of odors until after an appeal is finished, perhaps a year from now. There is no requirement in the present order that anything be done to abate odors; that is an issue to be determined in the coming hearing, and an independent order will be issued on the odor question. We cannot see how the company can be prejudiced by being required to respond to legitimate concerns about odors raised in the Agency's pleading. Our order allowed the company additional time to present that response because of the short notice given by the Agency. But we see no reason to immunize Staley from an investigation of possible pollution problems resulting from its operations.

I, Christan Moffett, Acting Clerk of the Pollution Control Board, certify that the Board adopted the above Order on Motion this day of _______, 1971.

Ohistan Moffett