

ILLINOIS POLLUTION CONTROL BOARD
May 4, 1995

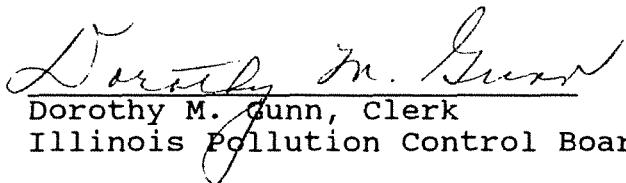
EXCEL CORPORATION,)
)
 Petitioner,)
)
 v.) PCB 95-126
) (Permit Appeal - Water)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

ORDER OF THE BOARD (by G. T. Girard):

On April 26, 1995 the petitioner filed a motion for stay of denial of permit. Petitioner had timely filed a request for permit renewal with the Illinois Environmental Protection Agency (Agency), which was denied. It is that denial which is the subject of this appeal. On May 3, 1995, the Board received a response from the Agency indicating that the Agency does not object to the granting of the stay. Section 10.65(b) of the Illinois Administrative Procedures Act provides that the permit shall continue in full force and effect until the Board's decision on the appeal. (5 ILCS 100/10-65(b).) Therefore, the motion for stay is denied as moot.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 4th day of May, 1995, by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board