

ILLINOIS POLLUTION CONTROL BOARD  
December 1, 1994

ROCK-OLA MANUFACTURING CORPORATION,

Petitioner,

v.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,

Respondent.

PCB 90-24  
(Permit Appeal)

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

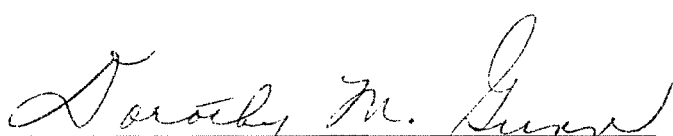
On June 28, 1994, the respondent filed a motion asking the Board to reconsider the May 19, 1994, opinion and order in this proceeding. After several joint motions for extension of time, the petitioner filed a response on October 27, 1994. On November 3, 1994, the Board directed the petitioner to file a clarification of the October 27, 1994, response. On November 15, 1994, the petitioner filed a motion to file instanter and the clarification. The Board hereby grants the motion to file instanter.

The petitioner has presented new evidence that a settlement has been reached, and, therefore, the Board grants the motion to reconsider. In light of the settlement, the Board hereby vacates the May 19, 1994, opinion and order in this proceeding, and the matter is dismissed.

IT IS SO ORDERED.

Board Member Joseph Yi abstains.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, do hereby certify that the above order was adopted on the 1<sup>st</sup> day of December, 1994, by a vote of 6-0.

  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board