

ILLINOIS POLLUTION CONTROL BOARD
July 22, 1993

MARATHON OIL COMPANY,)
)
 Petitioner,)
)
 v.) PCB 91-173
) (Variance on Remand)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

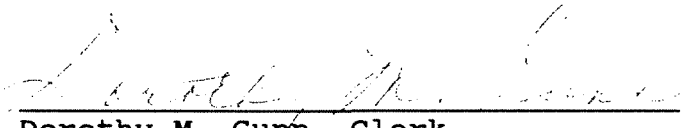
ORDER OF THE BOARD (by R.C. Flemal):

This matter comes before the Board on remand from the appellate court, fifth district. On March 23, 1993 the court reversed and remanded an order of the Board that denied variance to Marathon, directing the Board to "decide if the hardship to Marathon outweighs the environmental impact, if any, of the requested variance". (Marathon Oil Company v. IEPA (5th Dist. 1993), 242 Ill.App.3d 200, 610 N.E.2d 789, 182 Ill. Dec. 920.)

The mandate has now issued from the court. Consequently, the Board directs the parties to file statements indicating their views as to how this proceeding should best proceed, including addressing whether they believe additional briefing or hearing is required in this matter. The statements shall be filed no later than August 9, 1993.

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 22nd day of July, 1993, by a vote of 7-6.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board