

ILLINOIS POLLUTION CONTROL BOARD
February 27, 1992

THE GRIGOLEIT COMPANY,)	
)	
Petitioner)	
)	
v.)	PCB 89-184
)	(Permit Appeal)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

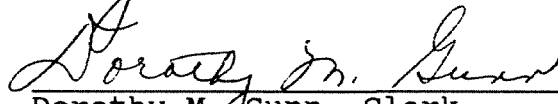
ORDER OF THE BOARD (by J. Anderson):

On February 11, 1992, the Grigoleit Company ("Grigoleit") filed a its third motion for sanctions in this matter. On February 24, 1992, the Illinois Environmental Protection Agency ("Agency") filed a motion for an extension of time to respond to Grigoleit's motion for sanctions.

On January 9, 1992, Grigoleit filed an appeal of this case with the Fourth District Appellate Court of the Board's December 6, 1991 Opinion and Order. (Docket No. 4-92-0029). As a result of the appeal, the Board is no longer vested with jurisdiction in this matter and cannot rule upon the above-mentioned motions. City of Chicago v. Scandia Books, Inc., 102 Ill. App. 3d 72, 430 N.E.2d 14 (1st Dist. 1981); Moore v. Moore, 53, Ill. App. 3d 228, 368 N.E.2d 545 (1st Dist. 1977); Loehde v. Loyola University, 11 Ill. App. 3d 827, 297 N.E.2d 661 (1st Dist. 1973). The Board, however, will transfer both motions to PCB 92-23. That case involves Grigoleit's appeal of certain conditions of a January 7, 1992 operating permit that was issued by the Agency in response to the Board's December 6, 1991 Opinion and Order in this matter. Accordingly, because the motion for sanctions addresses Grigoleit's January 7, 1992 permit and because that permit is the subject of PCB 92-23, the motion for sanctions and the motion for extension of time should be transferred to that docket.

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 27th day of February, 1992 by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board