

ILLINOIS POLLUTION CONTROL BOARD
January 10, 1991

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

ORDER OF THE BOARD (by J. Anderson):

On December 28, 1990, the Grigoleit Company ("Grigoleit") filed a Motion to Clarify and a Memorandum of Law in support of the motion. The Illinois Environmental Protection Agency ("Agency") has not filed a response to the motion.


In its motion, Grigoleit notes that the Board, in the last paragraph of its November 29, 1990 Order in this matter, referred to Section 41 of the Environmental Protection Act ("Act") regarding Appellate Court review of the Order. Grigoleit asks the Board to state whether or not the inclusion of such language was intended as an assertion that its decision was final and appealable.

Because the Board remanded this matter to the Agency for further deliberation, the Board notes that its November 29, 1990 Order is not final and appealable. Accordingly, we hereby strike the last paragraph of the November 29, 1990 Order.

IT IS SO ORDERED.

Board Member J. Dumelle dissented.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 10th day of JANUARY, 1991, by a vote of 6-1.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board