

ILLINOIS POLLUTION CONTROL BOARD
February 8, 1990

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	
)	
v.)	AC 89-191
)	IEPA NO. 9859-AC
)	(Administrative Citation)
ADOLPH LO,)	
)	
)	
Respondent.)	

ORDER OF THE BOARD BY (R. Flemal):

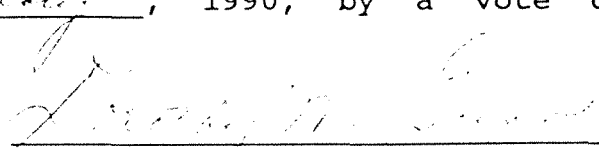
This matter is before the Board on the January 22, 1990 Agency response to Board Order of December 6, 1989 filed by the Illinois Environmental Protection Agency. The Board issued a Default Order in this matter to the respondent on October 18, 1989. The respondent filed a petition to reopen on November 13, 1989. The respondent also filed a reply to the Agency's response which was received on February 6, 1990.

The respondent claimed in the petition to reopen that no petition for review was filed with the Board because of confusion as to whether or not a petition needed to be filed. The Agency has admitted, in similar cases, that some confusion concerning Petitions for Review may have occurred in the past, but states that its procedures have been changed to avoid such confusion in the future.

After considering both the petition to reopen and the response, the Board believes there is just cause to vacate its Default Order of October 18, 1989. The Clerk is directed to set this matter for hearing. In addition, the Clerk is to attach, for the respondent's information, sections 21(p), 21(q), 31.1, 32, and 42(b)(4) of the Environmental Protection Act.

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 8th day of February, 1990, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board