

ILLINOIS POLLUTION CONTROL BOARD
June 22, 1989

MOTOR WHEEL CORPORATION, INC.,)
)
 Petitioner,)
)
 v.) PCB 89-89
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
 Respondent.)

ORDER OF THE BOARD (by B. Forcade):

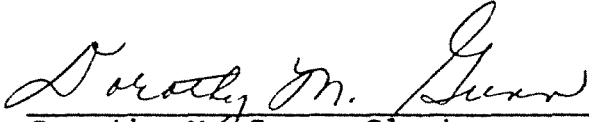
On June 20, 1989, Motor Wheel Corporation, Inc. ("MWC") filed a motion to stay permit conditions. Since the Board is not certain what action MWC is requesting, additional information is required:

1. Is MWC requesting the Board to affirm that some automatic stay provisions apply or is MWC requesting some form of discretionary stay? How would the provisions of 35 Ill. Adm. Code 705.202 to 705.205 apply here?
2. If the Board is being asked to issue a discretionary stay, is there adequate information presently in the docket on MWC's permit status, current operations at the facility, and environmental impact of a stay, to allow an informed decision?
3. What precisely is the Illinois Environmental Protection Agency's position?
4. Would denial of a stay force WMC to curtail on-going operations, or place it in violation of the RCRA permit requirements?

The parties are directed to supplement the existing motion, to the extent necessary to answer the above question, not later than July 21, 1989.

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 June, 1989, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board