

ILLINOIS POLLUTION CONTROL BOARD  
March 19, 1982

COUNTY OF LA SALLE, ex rel. GARY PETERLIN, )  
STATE'S ATTORNEY OF LASALLE COUNTY: )  
THE VILLAGE OF NAPLATE, a municipal )  
corporation; THE CITY OF OTTAWA, )  
a municipal corporation; THE VILLAGE OF )  
UTICA, a municipal corporation; )  
OTTAWA TOWNSHIP BOARD OF TRUSTEES, ex rel. )  
THE TOWN OF OTTAWA; RESIDENTS AGAINST )  
POLLUTED ENVIRONMENT, an Illinois not- )  
for-profit corporation; ROSEMARY SINON; )  
MARIE MADDEN; and JOAN BENYA BERNABEI, )

Petitioners, )

v. )

PCB 81-10 )

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY; )  
WILLIAM CLARKE; PIONEER DEVELOPMENT; )  
PIONEER PROCESSING, INC., and )  
WILMER AND EDITH BROCKMAN, )

Respondents. )

ORDER OF THE BOARD ( by J.D. Dumelle):

On February 22, 1982, Petitioners filed a motion to preserve the integrity of the record and no response has been filed. On March 12, 1982, the Illinois Environmental Protection Agency (Agency) filed a motion for substitution of documents to which the Agency represents Petitioners are in concurrence. This motion appears to show tacit concurrence with Petitioners' motion. Both motions are, therefore, granted.


The Hearing Officer Order of February 11, 1982, ordering return of certain exhibits which were not admitted at hearing is hereby overruled and the Agency is allowed to substitute copies of Exhibits 29-34 for the originals.

The Board notes, however, that in Petitioners' motion, the statement is made that the Board has refused to admit Exhibits 29-34, citing Motion For Admission of Exhibits, February 10, 1982, pp. 10-13. However, the Board has never so ruled in that that motion has never been properly before the Board due to a failure to include Proof of Service. The Board has, in fact, reviewed all exhibits in this matter and has accorded them whatever weight they deserve under the scope of review in a Section 40(b) hearing as delineated in the Board's February 17, 1982 Opinion in this matter.

IT IS SO ORDERED.

Mr. Anderson abstained.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 19<sup>th</sup> day of March, 1982 by a vote of 3-0.

  
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Christan L. Moffett, Clerk  
Illinois Pollution Control Board