

ILLINOIS POLLUTION CONTROL BOARD
September 21, 1978

ENVIRONMENTAL PROTECTION AGENCY,)
)
 Complainant,)
)
 v.) PCB 78-107
)
 GENE ZAHRADKA,)
)
 Respondent.)

ORDER OF THE BOARD (by Mr. Goodman):

On June 8, 1978, the Board denied a Petition for Intervention filed in this case by Harold Broverman and Theodora Baker. However, on July 6, 1978, based upon notice by the Environmental Protection Agency that it had no objection to the said intervention, the Board revoked its June 6 Order and granted intervention. Subsequently, the Environmental Protection Agency withdrew its acquiescence to intervention, and the Hearing Officer on July 19, 1978, vacated the Order granting intervention.

The matter which we consider today is a Motion to Set Aside Order of Hearing Officer, filed on September 11, 1978, by Harold Broverman and Theodora Baker, seeking to set aside the Hearing Officer's Order vacating the Board's grant of intervention. The Board finds that the Hearing Officer was correct in vacating the July 6 Order granting intervention and denies the Motion.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 21st day of September, 1978, by a vote of 4-0.


Christan L. Moffett, Clerk
Illinois Pollution Control Board