

ILLINOIS POLLUTION CONTROL BOARD
June 22, 1978

FOX VALLEY GREASE COMPANY, INC.,)
)
 Petitioner,)
)
 v.) PCB 77-179
)
 ENVIRONMENTAL PROTECTION AGENCY,)
)
 Respondent.)

ORDER OF THE BOARD (by Mr. Dumelle):


On June 1, 1978, Petitioner moved the Board to reconsider its decision which affirmed the Agency's action in denying Petitioner an operating permit and a construction permit. Petitioner claims that it was denied due process, that the Board's Opinion is not supported by the record, and that the Board's Opinion misstates the law of this case. The motion fails to raise any new claim or argument which was not before the Board when it decided this case on April 27, 1978. The Board's Opinion is consistent with the law as stated in Owens-Illinois, Inc. v. EPA, PCB 77-288, February 2, 1978 and Oscar Meyer & Co. v. EPA, PCB 78-14, June 8, 1978. The motion is hereby denied.

Mr. Young abstains.

Mr. Werner dissents.

IT IS SO ORDERED

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 22nd day of June, 1978 by a vote of 3-1.


Christan L. Moffett, Clerk
Illinois Pollution Control Board