

ILLINOIS POLLUTION CONTROL BOARD
March 28, 1977


ENVIRONMENTAL PROTECTION AGENCY,)
)
 Complainant,)
)
 v.) PCB 77-45
)
 THE CITY OF OREGON,)
 a municipal corporation,)
)
 Respondent.)

ORDER OF THE BOARD (by Mr. Young):

On Motion of Respondent, although on different grounds, the Board hereby dismisses without prejudice this Complaint. The City of Oregon presently has a variance petition (PCB 75-497) pending before this Board which seeks relief from the same regulation involved in this Complaint. Because the petition was filed within 20 days after the effective date of the subject regulation, Section 38 of the Act automatically stays the operation of the regulation pending disposition of the petition by the Board. Respondent's request for costs is denied.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 28th day of March, 1977 by a vote of 5-0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board