

ILLINOIS POLLUTION CONTROL BOARD  
September 30, 1976

U. S. TOBACCO, )  
 )  
 Petitioner, )  
 )  
 v. ) PCB 75-480  
 )  
 ENVIRONMENTAL PROTECTION AGENCY, )  
 )  
 Respondent. )

ORDER OF THE BOARD (by Mr. Young):

On August 26, 1976, the Agency filed a Motion to Dismiss without prejudice this permit appeal filed by Petitioner. On September 15, 1976, Petitioner filed objections to the grant of this Motion and filed a Motion to Stay this action pending the Board's decision in an enforcement case, EPA v. U. S. Tobacco, PCB 74-455. The Board hereby denies the Agency's Motion and grants the Petitioner's 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 30<sup>th</sup> day of September, 1976 by a vote of 5-0.

  
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Christan L. Moffett, Clerk  
Illinois Pollution Control Board