

ILLINOIS POLLUTION CONTROL BOARD  
May 16, 1974

CLARK OIL AND REFINING CORPORATION

vs.

ENVIRONMENTAL PROTECTION AGENCY

}  
} PCB 73-278  
}

ORDER OF THE BOARD (by Mr. Dumelle):

Petitioner filed a Motion for the Granting of Summary Relief on the Appeal of a Permit Denial by the Agency. The Board hereby denies the motion. Section 40 of the Illinois Environmental Protection Act requires that a hearing be held on any appeal from an Agency permit denial. Therefore, the Board cannot grant the summary relief requested by Petitioner.

IT IS SO ORDERED.

I, Christian L. Moffett, Clerk of the Illinois Pollution Control Board, certify that the above Order was adopted on this 16<sup>th</sup> day of May, 1974 by a vote of 5-0.

Christian L. Moffett