

ILLINOIS POLLUTION CONTROL BOARD
March 15, 1973

ENVIRONMENTAL PROTECTION AGENCY)
)
) #72-172
 v.)
)
 VAN DER MOLEN MIDWEST INCINERATOR CO.,)
 an Illinois corporation)

ORDER OF THE BOARD (BY SAMUEL T. LAWTON, JR.):

On February 27, 1973, we entered an order directing that hearing on the complaint be held, granting withdrawal of a variance previously filed and rejecting a stipulation submitted by the parties.

On March 2, 1973, an amended complaint was filed by the Agency. On March 7, 1973, we received a "Notice of Shutdown and Request for Decision" filed by Respondent. On March 9, 1973, we received an answer to the amended complaint and motion for entry of final order. On March 15, 1973, we received a statement of fact submitted by the Agency. At the Board meeting of March 15, 1973, both the Agency and the Respondent were represented by counsel and orally represented that it was their wish that the matter be disposed of on the basis of the amended complaint, the notice of shutdown, the answer to the amended complaint and the statement of facts, as submitted.

On the basis of the foregoing submissions and representations, we will order that hearing heretofore scheduled be cancelled and that the matter be taken under advisement for decision on the submissions hereinabove referred to.

IT IS SO ORDERED.

I, Christan Moffett, Clerk of the Illinois Pollution Control Board, certify that the above Order was adopted on the 15 day of March, 1973, by a vote of 7 to 1.
