ILLINOIS POLLUTION CONTROL BOARD
November 14, 1972

ENVIRONMENTAL PROTECTION AGENCY, Complainant,	)	
v.	)	PCB 72-198
HIGH LAKE POULTRY, INC., Respondent.	)	

SUPPLEMENTAL OPINION AND ORDER OF THE BOARD (by Mr. Parker):

The Board order entered October 3, 1972 against Respondent requires payment of a penalty to the State of Illinois in the amount of $2,500 for pollution violations (Par. 2). By letter to the Board dated November 9, 1972, Respondent moves to stay the effectiveness of that portion of our order pending the resolution of an appeal that it has taken from that entire order.

Consistent with past decisions of this Board, there is no point in requiring that a money penalty be paid immediately where it might have to be repaid following judicial review of our decision. Spartan Printing Co. v. EPA, #71-19 (October 14, 1971), EPA v. CPC International, Inc., #71-338, (October 31, 1972). Accordingly, paragraph 2 of our October 3, 1972 Order is hereby stayed pending judicial review, on condition that a bond to secure payment of the penalty, plus appropriate interest, in the event of an adverse judicial decision is filed with the Environmental Protection Agency within fifteen (15) days after receipt of this Order.

I, Christan Moffett, Clerk of the Pollution Control Board, certify that the Board adopted the above Supplemental Opinion and Order of the Board this _____ day of _____, 1972, by a vote of _____ to _____.