

ILLINOIS POLLUTION CONTROL BOARD
January 8, 2004

CHAMPION LABORATORIES, INC.,)	
)	
Petitioner,)	
)	
v.)	PCB 04-65
)	(Permit Appeal - Air)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

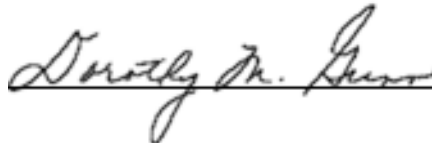
ORDER OF THE BOARD (by T.E. Johnson):

On November 6, 2003, the Board accepted Champion Laboratories, Inc.'s (Champion) petition appealing the Illinois Environmental Protection Agency's (Agency) issuance of a Clean Air Act Permit Program (CAAPP) permit regarding Champion's automotive oil filter manufacturing facility in West Salem, Edwards County, but reserved ruling on a concurrently filed motion to stay effectiveness of the CAAPP permit. To date, the Agency has not filed a response to the motion.

Motions to stay a proceeding must be accompanied by sufficient information detailing why a stay is needed. 35 Ill. Adm. Code 101.514(a). If a party files no response to a motion within 14 days the party will be deemed to have waived objection to the granting of the motion. See 35 Ill. Adm. Code 101.500(d). Champion contends that a stay of the CAAPP permit is necessary to prevent it from incurring irreparable harm, and to protect its certain and clearly ascertainable right to appeal permit conditions. Champion asserts that the Agency, the public and the environment will not be harmed if a stay is granted. The Board grants Champion's motion to stay effectiveness of the CAAPP permit until the Board's final action in this matter or until the Board orders otherwise.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on January 8, 2004, by a vote of 5-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board