

ILLINOIS POLLUTION CONTROL BOARD  
September 28, 1989

HIGHLAND SUPPLY CORPORATION,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 89-118
	)	(Permit-Appeal)
	)	
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

ORDER OF THE BOARD (by J. Marlin):

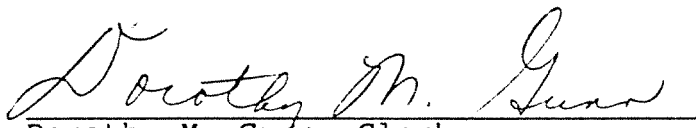
By Order of August 31, 1989, the Board requested the parties to address whether pages in the Agency record filed August 28, 1989 marked "confidential" should be maintained by the Clerk as confidential. On September 14, 1989, Highland filed a brief in support "of retaining trade secrets in Agency record documents" accompanied by an edited version of the Agency record in which all trade secret information had been removed or deleted. On September 22, 1989, the Agency filed a response and motion to substitute Highland's edited version for its original filing; this response was accompanied by a motion for leave to file instanter, which is hereby granted.

The edited record supplied by Highland will be placed in the public files. The Agency has requested that the full version of the record be returned to it, noting that "due to recent reformulations by Highland Supply in its inks, the Agency is in the process of granting Highland Supply an operating permit, effective upon the dismissal of the pending permit appeal." The Board believes that the more administratively efficient course is to retain the full version until such time as petitioner seeks dismissal of this appeal, as it is the experience of the Board that permit negotiations occasionally break down and the matter must be adjudicated by the Board.

The motion to substitute is granted in part. The Clerk is directed to place Highland's September 14 edited version in the public files, and to retain all copies of the Agency's August 28 full version in the security files for continued confidential treatment. In the event of a motion for dismissal, the full version will be returned to whichever party so requests.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 28<sup>th</sup> day of September, 1989, by a vote of 6-0.

  
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Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board