

ILLINOIS POLLUTION CONTROL BOARD
April 10, 1986

MODINE MANUFACTURING CO.,)
)
 Complainant,)
)
 v.) PCB 85-154
)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

ORDER OF THE BOARD (by J.D. Dumelle):

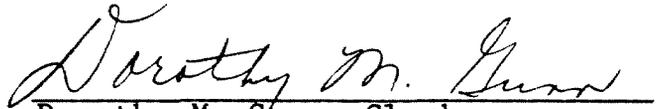
This matter comes before the Board upon an April 10, 1986 motion to appeal the decision of the hearing officer denying a motion for continuance and a motion to incorporate a prior record filed on behalf of the Modine Manufacturing Company. Modine represents that the Illinois Environmental Protection Agency (Agency) agrees with the motion for continuance. However, there is no response by the Agency regarding the motion to incorporate.

Given that both parties agree that continuance is necessary and that hearing is presently scheduled for a date prior to the next regularly scheduled Board meeting, that motion is hereby granted. The Board will not, however, decide the motion to incorporate at this time to allow the Agency an opportunity to respond. The Board will take such further action as it deems appropriate when it rules upon the motion to incorporate.

IT IS SO ORDERED.

Board Members B. Forcade and R. Flemal dissented.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 10th day of April, 1986 by a vote of 4-2.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board