

ILLINOIS POLLUTION CONTROL BOARD  
September 11, 1986

VILLAGE OF SAUGET,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 86-57
	)	
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondents.	)	
<hr/>		
MONSANTO COMPANY,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 86-62
	)	
ILLINOIS ENVIRONMENTAL	)	(Consolidated)
PROTECTION AGENCY,	)	
	)	
Respondents.	)	

ORDER OF THE BOARD (by J. Anderson):

On August 14, 1986, the Agency moved the Board to reconsider its July 11, 1986 Order allowing Monsanto to proceed with a third party appeal of an NPDES permit issued to Sauget. While now conceding that third party appeal rights exist in the NPDES permit context, the Agency asserts that the Board may not have authority to grant some of the relief that Monsanto may request, and that the Board incorrectly allowed Monsanto's appeal to proceed since Monsanto did not request a hearing as required by 35 Ill. Adm. Code 105.102(b)(3). No responses have been filed by Sauget or Monsanto.

The motion for reconsideration is granted. Upon reconsideration, the Board reaffirms its July 11, 1986 Order. To the extent that Monsanto may seek relief which it is beyond the Board's authority to grant, the Board may decline to grant it at the appropriate time. The hearing request issue was thoroughly discussed in the prior Order and no additional comment is necessary.

IT IS SO ORDERED.

B. Forcade dissented.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 17<sup>th</sup> day of September, 1986 by a vote of 5-1.

Dorothy M. Gunn  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board