

ILLINOIS POLLUTION CONTROL BOARD
October 13, 1977

ENVIRONMENTAL PROTECTION AGENCY,)
)
Complainant,)
)
v.) PCB 76-114
)
HAROLD BROVERMAN and THEODORA)
BAKER, d/b/a TAYLORVILLE LANDFILL,)
)
Respondents.)

ORDER OF THE BOARD (by Dr. Satchell):

On September 20, 1977 Respondents filed a motion to reopen the proceedings in this case to allow them to present new evidence. The Environmental Protection Agency filed an objection to this motion on September 30, 1977. Respondents indicate that they would like to present "evidence and particularly facts that have taken place since the time the hearing officer presided." The Board denies the motion. Occurrences subsequent to the close of the hearings are not relevant to the dates of alleged violations in the complaint. Respondents should have presented all facts in mitigation prior to closing their case during the hearing process. The Board further notes that if Respondents feel they have been unfairly denied a permit for their site, there is recourse in a separate permit denial appeal.

IT IS SO ORDERED.

Mr. Young concurs.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 13th day of October, 1977 by a vote of 5-0.


Christan L. Moffett, Clerk
Illinois Pollution Control Board