

ILLINOIS POLLUTION CONTROL BOARD
September 15, 1976

ENVIRONMENTAL PROTECTION AGENCY,)
)
Complainant,)
)
v.) PCB 75-262
)
)
SOIL ENRICHMENT MATERIALS CORP.)
and ROCK ROAD CONSTRUCTION CO.,)
)
)
Respondents.)

ORDER OF THE BOARD (by Mr. Goodman):

On August 12, 1976, Respondents filed a Motion for Modification of the Board's July 8, 1976 Order herein. The Environmental Protection Agency filed its Response on August 30, 1976. Respondents seek to eliminate from the Board's Order any findings of past violations by them. However, Respondents' good faith in this matter, as outlined in their Motion, is relevant to the question of a penalty and not to the finding of a violation itself. The Board in this case assessed no penalty against Respondents. Respondents' Motion is hereby denied.

Mr. Young abstained.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 15th day of September, 1976 by a vote of 4-0.


Christan L. Moffett, Clerk
Illinois Pollution Control Board