

ILLINOIS POLLUTION CONTROL BOARD
March 2, 1978

ENVIRONMENTAL PROTECTION AGENCY,)
)
 Complainant,)
)
 v.)
)
 FOX VALLEY GREASE COMPANY, INC.,)
 a Delaware corporation,)
)
 Respondent.)

PCB 76-56 and PCB 76-220
Consolidated

-----)
 ENVIRONMENTAL PROTECTION AGENCY,)
)
 Complainant,)
)
 v.)
)
 ANTOINETTE ANDERSEN, d/b/a)
 FOX VALLEY GREASE SERVICE,)
)
 Respondent.)

INTERIM ORDER OF THE BOARD (by Mr. Dumelle):

On February 14, 1978 the Agency filed a motion to close the record in this case. On February 15, 1978 the Respondents' filed a brief which stated that they had been denied their right to a hearing. After a thorough review of the record in this case, it has become apparent that there is inadequate evidence of the social and economic value of the subject pollution source and the economic reasonableness of the Agency's proposed method of compliance. Section 33(c) of the Act requires that the Board be apprised of these factors in rendering its decisions. Since the proceedings must be reconvened to cure these deficiencies, the Agency's motion to close the record is hereby denied. Respondents may take this opportunity to present their case.

If further hearings are not scheduled in this matter within 21 days of the date of this Order and held within 60 days of the date of this Order, the record shall be closed.

This case is hereby remanded to the Hearing Officer for the further taking of evidence as noted in this Order.

IT IS SO ORDERED.

Mr. Young abstained.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 2nd day of March, 1978 by a vote of 4-0.



Christan L. Moffett, Clerk
Pollution Control Board