

ILLINOIS POLLUTION CONTROL BOARD
October 14, 1976

CERRO GORDO CO-OPERATIVE GRAIN CO.,)
an Illinois Corporation,)
)
) Petitioner,)
)
) v.) PCB 76-111
)
ENVIRONMENTAL PROTECTION AGENCY,)
)
) Respondent.)

ORDER OF THE BOARD (by Dr. Satchell):

This matter comes before the Board upon a Motion for Rehearing or Modification of Order filed on October 7, 1976 by Petitioner. The motion requests a modification of subparagraph C of the Board's Order of September 2, 1976 which states:

"That Petitioner shall restrict the outside use of the portable augers to the nine hours per year as outlined in Paragraph 9 of the Petition and shall limit said outside operations to the sides of the storage facilities having doors."

Petitioner submits that the petition for variance either by ambiguity or error stated that the need for outside use of the portable augers was nine hours per year. In actuality the figure should reflect nine hours outside use of the portable augers for each of three existing buildings or a total of twenty-seven (27) hours. The twenty-seven hour figure was also recommended by the Environmental Protection Agency (Agency Rec. at 9).

The Board modifies subparagraph C of the Order to read as follows:

"That Petitioner shall restrict the outside use of the portable augers to twenty-seven (27) hours per year and shall limit said outside operations to the sides of the storage facility having doors."

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 14th day of October, 1976 by a vote of 5-0.

Christan L. Moffett
Christan L. Moffett, Clerk
Illinois Pollution Control Board