

ILLINOIS POLLUTION CONTROL BOARD  
March 11, 1976

ENVIRONMENTAL PROTECTION AGENCY, )  
 )  
 Complainant, )  
 )  
 v. ) PCB 75-385  
 )  
 MIDWEST METALS, INC., )  
 )  
 Respondent. )

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

Respondent Midwest Metals, Inc.'s Motion to Set Aside Stipulation and Settlement Proposal, filed March 1, 1976, is granted. Exhibit A of that motion, a letter to Respondent from Complainant Environmental Protection Agency, indicates that Respondent Midwest was induced to assent to the Stipulation and Settlement Proposal in this case by an incorrect Agency representation that an operating permit for Midwest's facility would be forthcoming.

This matter is remanded to the Hearing Officer for further hearing on the merits of the Agency's complaint in this matter, or for the acceptance of any further settlement proposal from the parties, such hearing to be held within thirty (30) days of the date of this Order.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Interim Order was adopted on the 11<sup>th</sup> day of March, 1976, by a vote of 4-0.

  
Christan L. Moffett, Clerk  
Illinois Pollution Control Board