

ILLINOIS POLLUTION CONTROL BOARD
April 8, 1976

ENVIRONMENTAL PROTECTION AGENCY,)
)
 Complainant,)
)
 v.) PCB 75-437
)
 ELGIN SALVAGE & SUPPLY CO., INC.,)
)
 Respondent.)

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

The Stipulation and Proposal for Settlement in this matter, filed February 9, 1976, is deficient in that it fails to adequately address the allegations of the Complaint. The Complaint alleges specific violations of Rules 103(b)(1) and 103(b)(2) of Chapter 2: Air Pollution, of the Board's Rules and Regulations. The Stipulation and Proposal for Settlement, however, does not address itself sufficiently to whether any equipment or facilities operated by Respondent may constitute existing or new emission sources; instead, somewhat vague terminology would require that we speculate on that issue or, in the alternative, dismiss those allegations. The terminology used in the Stipulation and Proposal for Settlement is not consistent with that in the Complaint.

The Stipulation and Proposal for Settlement must, therefore, be rejected and returned to the parties for clarification on the above issues. No further hearing need be held concerning resubmission of a new Stipulation and Proposal for Settlement if such document is filed within 30 days of the date of this Order. Should no new Stipulation and Proposal for Settlement be filed within 30 days of the date of this Order, the Hearing Officer will set this matter for hearing within 45 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 8th day of April, 1976, by a vote of 5-0.


Christan L. Moffett, Clerk
Illinois Pollution Control Board