

ILLINOIS POLLUTION CONTROL BOARD
March 25, 1976

ENVIRONMENTAL PROTECTION AGENCY,)
)
Complainant,)
)
v.) PCB 75-156
)
CITY OF PEKIN,)
)
Respondent.)

ORDER OF THE BOARD (by Mr. Zeitlin):

The final Opinion and Order of the Board in this matter was entered on February 11, 1976. The Board there found Respondent City of Pekin to have operated a solid waste management site in violation of the Environmental Protection Act and Chapter 7: Solid Waste, of the Board's Rules and Regulations. In pertinent part, the Board's Order required that Pekin, "close said site in conformity with the Rules and Regulations of this Board, pursuant to a plan of closure prepared by Respondent and acceptable to the Environmental Protection Agency. Such plans shall be submitted to the Environmental Protection Agency within thirty (30) days of the date of this Order." Order No. 2, at p. 4.

On March 15, 1976 the Board received Pekin's Motion to Stay the above Order, pending appeal by Pekin to the Illinois Appellate Court, Third District. On March 18, 1976, the Board also received Pekin's Motion for Oral Argument in this regard.

Although Pekin's Motion for Stay is accompanied by an affidavit executed by the City's Mayor, as well as other exhibits, it raises no new issues. Each of the points in that Motion was raised at the November 21, 1975 public hearing, and considered by the Board in its February 11, 1976 Opinion and Order. Opinion at 3. The Motion for Stay must be denied. The Motion for Oral Argument is hereby denied.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 25th day of March, 1976, by a vote of 5-0.


Christan L. Moffett, Clerk
Illinois Pollution Control Board