

ILLINOIS POLLUTION CONTROL BOARD
January 18, 1979

UNION ELECTRIC COMPANY,)
)
 Petitioner,)
)
 v.) PCE 78-307
)
 ENVIRONMENTAL PROTECTION AGENCY,)
)
 Respondent.)

ORDER OF THE BOARD (by Mr. Young):

The Petitioner, Union Electric Company, filed a Motion for Stay in this matter. Objection to the Motion was filed January 11, 1979.

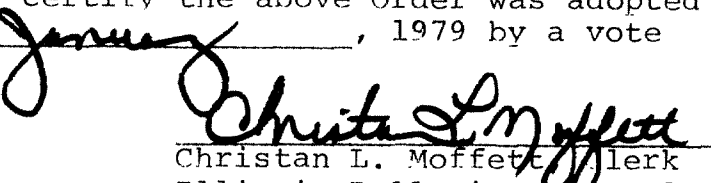
It is not the usual practice for the Board to grant a stay of a Board Order pending appeal to the courts. The instant case of a Section 40 petition to review objections to several conditions of an NPDES permit issued by the Agency presents a different situation than an Appellate Court review of a Board decision (Oscar Mayer & Co. v. EPA, 30 PCB 397, PCB 78-14, June 8, 1978).

The Motion will be granted; the effect of each of the following conditions shall be stayed until a final Order is entered by the Board on this Petition:

1. Attachment B, paragraph 1, second sentence;
2. Attachment G, Special Conditions, paragraph 2;
3. Attachment H, Standard Conditions, Standard Conditions No. 9, 27 and 29; and, Standard Condition 22 to the extent that such condition would prohibit the discharge of debris from intake screens.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 18th day of January, 1979 by a vote of 4-0.


Christan L. Moffett, Clerk
Illinois Pollution Control Board