

ILLINOIS POLLUTION CONTROL BOARD  
September 29, 1975

METROPOLITAN SANITARY DISTRICT ET AL., )  
Petitioner, )  
 )  
v. ) PCB 75-338  
 )  
ENVIRONMENTAL PROTECTION AGENCY, )  
Respondent. )

ORDER OF THE BOARD (by Mr. Goodman):

Several motions were filed with the Pollution Control Board (Board) in this matter:

- 1) The September 12, 1975, motion of the Environmental Protection Agency (Agency) to make more specific is denied as moot.
- 2) The Agency's motion to strike and dismiss paragraph 22 of MSD's permit appeal is granted. Section 40 of the Environmental Protection Act specifically states that in permit appeals "the burden of proof shall be on the petitioner."
- 3) Motion by Fulton County Citizens for Better Health and Environment for intervention is granted. Rule 502(b) of the Board's Procedural Rules cause Rule 310 to be applicable to intervention in permit appeals.
- 4) Petitioner's motion to hold hearings in Chicago, Illinois is denied and hearings are ordered to be held in Fulton County, the site of the property in question.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 29<sup>th</sup> day of September, 1975 by a vote of 4-0.

  
Christan L. Moffett, Clerk  
Illinois Pollution Control Board