

ILLINOIS POLLUTION CONTROL BOARD

August 30, 1973

CPC INTERNATIONAL, INC.,)
)
 Petitioner,)
)
 vs.) PCB 73-212
)
 ENVIRONMENTAL PROTECTION AGENCY,)
)
 Respondent.)

ORDER OF THE BOARD (by Mr. Henss)

On May 22, 1973 CPC International, Inc. filed Petition for Variance. Hearing was conducted on July 26, 1973 and was concluded on August 6, 1973. The purpose of the second hearing was to allow a citizen's group known as Save Our Resources and Environment, Inc. (SORE) to examine exhibits and comment upon the variance petition. The citizen's group was also given an opportunity to cross examine witnesses and to submit a brief.

On August 20, 1973 after hearings had been concluded the citizen's organization (SORE) filed a Petition to Intervene. That petition is denied. Our Procedural Rule No. 310 provides for intervention "upon timely written application". Rule 404 indicates that a petition to intervene would be timely if filed within 21 days after the filing of the petition. SORE has had every opportunity to cross examine, present evidence and file written briefs, and intervention was apparently an after thought. Allowing such an intervention at this point would interfere with the orderly disposition of the case.

The Petition for Intervention is denied.

I, Christian L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted this 30th day of August, 1973 by a vote of 3 to 0.

Christian L. Moffett