ILLINOIS POLLUTION CONTROL BUARD October 31, 1972

ENVIRONMENTAL PROTI	ECTION AGENCY))	
V.)	#71-338
CPC INTERNATIONAL,	INC.)	

Supplemental Opinion and Order of the Board (by Mr.Currie):

Paragraph 3 of the Board's Order of October 3, 1972, entered against Respondent herein, requires the payment of a penalty to the State of Illinois in the amount of \$15,000 for pollution violations. Respondent moves to stay the effectiveness of that portion of our order pending the resolution of the appeal it has taken from entire order.

As we have said in the past, we see no point in requiring that a money penalty be paid immediately where it might have to be repaid following judicial review of our decision. Spartan Printing Co. v. EPA, #71-19 (October 14, 1971). Accordingly, paragraph 3 of our October 3, 1972 Order is hereby stayed pending judicial review, on condition that a bond to secure payment of the penalty, plus appropriate interest, in the event of an adverse judicial decision is filed with the Environmental Protection Agency within fifteen (15) days after receipt of this Order.

I. Christan Moffett, Clerk of the Pollution Control Board, certify that the Board adopted the above Supplemental Opinion and Order of the Board this 31st day of October, 1372, by a vote of 5-0.

Christand Moffett