

ILLINOIS POLLUTION CONTROL BOARD
July 19, 1973

MOBIL OIL CORPORATION)
)
) #73-83
 v.)
)
 ENVIRONMENTAL PROTECTION AGENCY)

ORDER OF THE BOARD (BY SAMUEL T. LAWTON, JR.):

The above-captioned proceeding is an appeal from a permit denial by the Environmental Protection Agency. The Agency has filed a "renewed motion to dismiss", based upon certain aspects of the petition filed and supporting documentation. We have reviewed the Agency's assertions in this respect and believe that the matters on which a motion to dismiss is based are substantive considerations that can best be resolved after hearing and not by the motion process.

Accordingly, we deny the motion to dismiss and direct that hearing proceed as previously ordered.

IT IS SO ORDERED.

I, Christan Moffett, Clerk of the Pollution Control Board, certify that the above Order was adopted on the 19th day of July, 1973, by a vote of 4 to 0.