

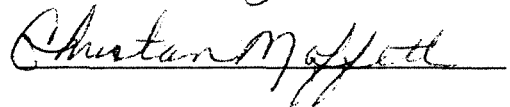
ILLINOIS POLLUTION CONTROL BOARD
January 31, 1972

AGRICO CHEMICAL CO.)
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)
 v.) # PCB 71-211
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)
 ENVIRONMENTAL PROTECTION AGENCY)

Opinion and Order of the Board on Motion for Stay (by Mr. Currie):

Our order of December 21, 1971 granted Agrico a variance on certain conditions including a bond and a money penalty. Appealing these last two conditions, Agrico asks that we stay them pending appeal. To stay the bond would make that requirement meaningless, as the bond would be moot before an appeal is over; we must deny the stay to that extent. We will stay the penalty on condition that a bond be posted assuring payment of the penalty, with 5% interest so the State does not lose because of the delay, since the date of payment is of little concern so long as the penalty is collected. Spartan Printing Co. v. EPA, # 71-19 (Oct. 14, 1971). It is so ordered.

I, Christan Moffett, Clerk of the Pollution Control Board, certify that the Board adopted the above Opinion and Order of the Board on Motion for Stay this 31 day of January, 1972 by vote of 5-0.


Christan Moffett