

ILLINOIS POLLUTION CONTROL BOARD  
August 30, 1973

ENVIRONMENTAL PROTECTION AGENCY,                    )  
  )  
  )                    Complainant,                    )  
  )                    )  
  )                    v.                                    )                    PCB 72-316  
  )                    )  
ILLINOIS CENTRAL GULF RAILROAD COMPANY,            )  
  )                    )  
  )                    Respondent.                    )

ORDER

On May 8, 1973, Respondent, Illinois Central Gulf Railroad Company, requested oral argument or, in the alternative, that we grant leave to file written briefs. By Order of this Board dated June 14, 1973, the parties were granted the right to file written briefs; however, oral argument was not authorized.

Despite a close reading of the Record of Hearing and the briefs filed by the parties, there remain unresolved certain questions of fact crucial to a reasoned determination of this cause. This Board is particularly interested in clarifying the conflicting state of the evidence regarding the condition of all of the tributaries to Fulton Creek immediately upstream of Respondent's facility.

The Board has, therefore, scheduled oral argument on this cause for September 13, 1973 at 2:00 p.m.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, certify that the above Order was adopted by the Board on the 30<sup>th</sup> day of August, 1973, by a vote of 5 to 0.

Christan L. Moffett