

ILLINOIS POLLUTION CONTROL BOARD
October 25, 1990

IDEAL ROLLER COMPANY,)
)
Petitioner,)
)
v.) PCB 88-108
) (Permit Appeal)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

ORDER OF THE BOARD (by B. Forcade):

On October 11, 1990, Ideal Roller Co., filed a motion to dismiss. The motion is granted and this matter is dismissed.

The issue of who has the burden of costs in Board proceedings has been addressed in Town of Ottawa, et al. v. IPCB, et al., 129 Ill. App. 3d, 472 N.E.2d 150 (Third District, 1984). In that case, the Court ordered the Board to assume transcription costs (472 N.E.2d at 155). The Supreme Court denied leave to appeal on March 14, 1985. In cognizance of this ruling, the Board will not transfer costs to Ideal Roller.

IT IS SO ORDERED.

Board Member J.D. Dumelle concurs.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 25th day of October, 1990, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board