

ILLINOIS POLLUTION CONTROL BOARD  
February 7, 1980

CATERPILLAR TRACTOR CO., )  
 )  
 ) Petitioner, )  
 )  
 ) v. ) PCB 80-3  
 )  
 ) ENVIRONMENTAL PROTECTION AGENCY, )  
 )  
 ) Respondent. )

ORDER OF THE BOARD (by Mr. Goodman):

Petitioner's January 23, 1980 motion to stay NPDES permit conditions and the Agency's February 4, 1980 response nowhere address whether the conditions involved are new or existing and, if new, whether their imposition is discretionary or mandatory with the Agency. Such facts are necessary to determine this motion. Petitioner and the Agency are ordered to supplement these pleadings with this information within 45 days of the date of this Order.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 7<sup>th</sup> day of February, 1980 by a vote of 4-0.

  
Christan L. Moffett, Clerk  
Illinois Pollution Control Board