

ILLINOIS POLLUTION CONTROL BOARD
January 10, 1980

ILLINOIS POWER COMPANY)
(Hennepin Power Plant),)
)
Petitioner,)
)
v.) PCB 79-243
)
ENVIRONMENTAL PROTECTION AGENCY,)
)
Respondent.)

ORDER OF THE BOARD (by Dr. Satchell):

On November 21, 1979 Illinois Power Company (IPC) filed a motion for stay of NPDES permit conditions. On December 7, 1979 the Environmental Protection Agency (Agency) filed a response and memorandum in opposition. IPC replied on December 12, 1979. The Board cannot determine from the motion whether the conditions are new or were contained in the previous permit. It is not clear whether the permit conditions are mandated by Board regulations or are discretionary with the Agency. The motion to stay is therefore denied. The Agency's December 7, 1979 motion for specification of errors is granted. The motion to strike is denied. IPC's December 17, 1979 motion for leave to amend is granted.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 10th day of January, 1979 by a vote of 4-0.


Christan L. Moffett, Clerk
Illinois Pollution Control Board