

ILLINOIS POLLUTION CONTROL BOARD
September 23, 1993

THE GRIGOLEIT COMPANY,)
)
 Petitioner,)
)
 v.) PCB 92-23
) (Permit Appeal)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
 Respondent.)

ORDER OF THE BOARD (by J. Anderson):

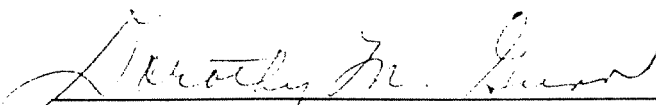
By orders of August 5 and 26, 1993, the Board directed the parties to file status reports on or before September 20, 1993. The Agency filed its report on September 20, 1993, but Grigoleit filed on September 22, 1993, with a accompanied motion to file its status report instanter. In support of its motion, Grigoleit stated that its counsel misdocketed the date as September 22nd, rather than September 20th. The Board grants the motion.

The Agency report states that as of September 20, the Illinois Supreme Court has not ruled on the pending Petition for Leave to Appeal the Decision of the Fourth District Appellate Court that was filed by the Office of the Attorney General on June 10, 1993, in the related case of The Grigoleit Company v. IPCB and IEPA, No. 4-92-0029. The Agency anticipates that the decision of the Illinois Supreme Court will be handed down shortly after the end of this month, September, 1993. Grigoleit stated that it is its understanding that all necessary pleadings has been filed and it is awaiting the Court as to whether it will accept the Agency's appeal.

The Board directs the parties to file an updated status report on or before November 12, 1993.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 23rd day of September, 1993, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board