ILLINOIS POLLUTION CONTROL BOARD
September 20, 1984

MODINE MANUFACTURING COMPANY,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 84-132
	)	
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,	)	
	)	
Respondent.	)	

ORDER OF THE BOARD (by J. Anderson):

On August 24, 1984, Petitioner filed a Motion to Consolidate this matter with a Variance Petition (PCB 83-18) and another permit appeal filed by Petitioner that same day, entitled Modine Manufacturing Company v. Illinois Environmental Protection Agency and docketed separately as PCB 84-133. Respondent filed a Response to that motion on September 14, 1984. Petitioner filed a Reply on September 19, 1984. Pursuant to 35 Ill. Adm. Code 103.140(c), 104.201(a) and 105.102(a)(5), the Board grants leave to both parties, respectively, to file their Response and Reply.

Although some of the issues involved in these cases may be the same, the purposes and proofs involved in Petitions for Variance and permit appeals are not. The Motion to Consolidate this matter with the Variance filed by Petitioner, PCB 83-18, is denied. The Board will, however, assign the same hearing officer to all three cases, as requested by Petitioner in its Reply.

IT IS SO ORDERED.

Board Member B. Forcade dissented.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 20th day of September, 1984 by a vote of 5-1.

Dorothy M. Gunn
Dorothy M. Gunn, Clerk
Illinois Pollution Control Board