

ILLINOIS POLLUTION CONTROL BOARD
August 18, 1983

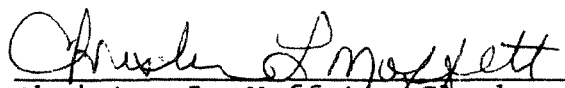
OUTBOARD MARINE CORPORATION,)
)
) Petitioner,)
)
) v.) PCB 79-164
)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
) Respondent.)

ORDER OF THE BOARD (by J. Anderson):

In its motion of August 4, 1983, as amended August 8 to correct a photocopying error, OMC requests that the Board dismiss this petition for NPDES permit appeal on the grounds that the Agency "issued" a modified permit April 7, 1983. On August 10, 1983, the Attorney General agreed to the dismissal, but objected to language of the Motion concerning the permit's "ratification" by OMC, and effective date of the permit being date of dismissal of the appeal by the Board. The Board finds the objected-to language proper, being drawn from the Board's dismissal Order in Caterpillar Tractor Co. v. IEPA, PCB 79-180, July 14, 1983. OMC's motion to dismiss is hereby granted.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 18th day of August, 1983 by a vote of 5-0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board