

ILLINOIS POLLUTION CONTROL BOARD
April 27, 1989

MARLEY-INGRID (USA), INC.,)
)
 Petitioner,)
)
 v.)
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
 Respondent.)

PCB 88-17

ORDER OF THE BOARD (by B. Forcade):

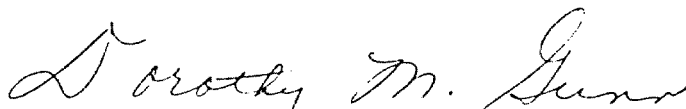
On April 13, 1989, the Illinois Environmental Protection Agency ("Agency") filed a motion for reconsideration of the Board's March 23, 1989, Order. On April 26, 1989, Marley-Ingrid ("Marley") filed a response to the motion.

Neither party has presented a persuasive basis for reconsideration. None of the administrative law cases cited by the Agency contain a holding of law that conflicts with the Board's legal analysis. Therefore, the motion for reconsideration is denied.

Marley has asserted that the Board chastened, criticized and excoriated Marley for failing to attain and maintain interim status. This is not true. At pages 6 and 7 of the March 23 Order, the Board states that Marley did not meet any of the factual prerequisites for an interim status closure. The Board has neither stated nor implied anything about Marley's conduct, except that it does not qualify for interim status.

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 27th day of April, 1989, by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board