

ILLINOIS POLLUTION CONTROL BOARD
April 19, 1982

DONALD J. HAMMAN,)
)
) Petitioner,)
)
) v.) PCB 82-15
)
) ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,)
)
) Respondent.)


ORDER OF THE BOARD (by J. Anderson):

The Board's Order of April 15, 1982 cancelled the hearing scheduled in this matter for April 23, 1982 based on the Board's interpretation of the stay entered February 16, 1982 in Mathers et al. v. IPCB, No. 81-740, 741 (consolidated) (Ill.App.3rd Dist.) On April 14, 1982, in response to a motion made by Hamman, the Appellate Court issued an order clarifying the scope of the stay. The Court stated that it was its intention to stay construction pursuant to the issued permit, but not to stay proceedings before the Board. Hamman in fact was given explicit authorization to participate in the scheduled April 23, 1982 Board hearing.

Based on this clarification, the Board reinstates the April 23, 1982 hearing date, and orders that hearing proceed. As notice of the April 15 cancellation of that hearing date had not been given, the Board finds that its reinstatement will not prejudice the parties or the public.

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 19th day of April, 1982 by a vote of 4-0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board