

ILLINOIS POLLUTION CONTROL BOARD
June 8, 1978

ENVIRONMENTAL PROTECTION AGENCY,)
)
 Complainant,)
)
 v.) PCB 77-292
)
 SKAGGS CONSTRUCTION COMPANY, INC.,)
 a Delaware corporation,)
)
 Respondent.)

ORDER OF THE BOARD (by Mr. Dumelle):

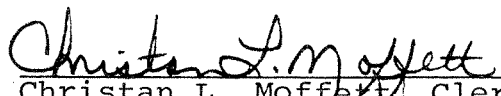
On May 25, 1978 the Agency filed a motion to correct a clerical error in the Board's Opinion and Order dated April 27, 1978 in this case. The motion contends that the Board erred in concluding that Public Health Rule 507(b) applied to Respondent's activities prior to July 27, 1974 and Solid Waste Rule 305(c) thereafter. The Agency contends that the proper date is July 27, 1973.

It should be noted that the Respondent was holding a permit issued by the Department of Public Health. Rule 202(b) of the Board's Solid Waste Regulations states that existing solid waste management sites had to obtain operating permits not later than one year after the effective date of those regulations (July 27, 1973). Consequently, as the holder of a Public Health permit, Respondent was entitled to an additional year under the Public Health Rules.

The motion is hereby denied.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 8th day of June, 1978 by a vote of 5-0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board