

ILLINOIS POLLUTION CONTROL BOARD
January 21, 1982

ALBURN, INC.,)
)
) Petitioner,)
)
) v.) PCB 80-189
) 80-190
 ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,)
)
) Respondent.)

ORDER OF THE BOARD (by J. Anderson):

On January 4, 1982 the Agency filed a Motion to Supplement the Record with a permit application submitted to the Agency by Alburn on October 16, 1981, approximately a year after issuance of the permits here appealed. Alburn filed an objection January 13, 1981.

Section 40(c) of the Environmental Protection Act provides that in permit appeals involving rules issued pursuant to 9.1(d-e), "the decision of the Board shall be based exclusively on the record before the Agency... unless the parties agree to supplement the record." The motion to supplement is denied.

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 21st day of January, 1982 by a vote of 7-0.

Christan L. Moffett
Christan L. Moffett, Clerk
Illinois Pollution Control Board