

ILLINOIS POLLUTION CONTROL BOARD
March 19, 1981

ABBOTT LABORATORIES,)
)
) Petitioner,)
)
) v.) PCB 81-33
)
) ILLINOIS ENVIRONMENTAL PROTECTION)
) AGENCY,)
)
) Respondent.)

ORDER OF THE BOARD (by I. Goodman):


Petitioner's operating permit appeal, received on March 2, 1981, is dismissed.

The Agency's November 10, 1980 "reopening" of the permit originally issued on October 3, 1980 was subsequent to Petitioner's November 7, 1980 appeal of that permit in PCB 80-205, and as such cannot affect the legal status of that permit. If the reopening had occurred prior to the appeal, then that appeal would have been of a not-yet-legally-effective permit, as the Agency's decision would not have been final for purposes of the Board's review.

Accordingly, the Board dismisses PCB 81-33. If after decision in PCB 80-205 Petitioner remains aggrieved, it may appeal that decision.

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 March, 1981 by a vote of 5-0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board