

ILLINOIS POLLUTION CONTROL BOARD  
July 12, 1979

REICHHOLD CHEMICALS, INC., )  
 )  
 ) Petitioner, )  
 )  
 ) v. ) PCB 78-140  
 )  
 ENVIRONMENTAL PROTECTION AGENCY, )  
 )  
 ) Respondent. )


ORDER OF THE BOARD (by Mr. Goodman):

On June 20, 1979 the Environmental Protection Agency (Agency) filed a Motion to Dismiss a Permit Denial Appeal Action brought by Reichhold Chemicals Inc. (Reichhold) on May 10, 1978. Reichhold filed a Opposition to the Motion to Dismiss on June 27, 1979.

The issue here remains whether Reichhold's permit application should have been granted at the time of its filing, notwithstanding the adoption of Air Pollution Rule 205(g)(1)(B). Since this question is not moot, the Board hereby denies the Agency's Motion to Dismiss.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 12<sup>th</sup> day of July, 1979 by a vote of 5-0.

  
Christan L. Moffett, Clerk  
Illinois Pollution Control Board