

ILLINOIS POLLUTION CONTROL BOARD  
August 4, 1977

ZEIGLER COAL COMPANY, )  
 )  
 ) Petitioner, )  
 )  
 )  
 ) v. ) PCB 75-83  
 )  
 )  
 ) ENVIRONMENTAL PROTECTION AGENCY, )  
 )  
 ) Respondent. )

ORDER OF THE BOARD (by Mr. Goodman):

The Board finds that the "minutes" of a hearing held on December 3, 1976 filed in the form of a "memo" from the Hearing Officer are inadequate under Procedural Rule 412. The Hearing Officer was without authority to waive the requirement of that rule. No petition for relief having been filed with the Board, the matter is remanded to the Hearing Officer for a hearing which complies with Rule 412.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 4<sup>th</sup> day of August, 1977 by a vote of 5-0.

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