

ILLINOIS POLLUTION CONTROL BOARD
December 2, 1976

PEOPLE OF THE STATE OF ILLINOIS, AND)
ENVIRONMENTAL PROTECTION AGENCY,)
)
Complainant,)
)
)
v.) PCB 74-480
)
)
FORTY-EIGHT INSULATIONS, INC.,)
an Illinois corporation,)
)
Respondent.)

ORDER OF THE BOARD (by Mr. Dumelle):

The final Opinion and Order in this cause was entered on September 30, 1976. On November 5, 1976 Respondent filed its Motion For Rehearing Or Modification Of Order To Vacate Board Order of September 30, 1976. On November 12, 1976 Respondent filed its Motion For Stay of Decision And Order of Pollution Control Board. On November 15, 1976 and November 18, 1976, respectively, Complainants filed motions to strike Respondent's two motions on the basis that they were filed more than 35 days after entry of the Order, in contravention of Procedural Rule 334. On November 18, 1976 Respondent filed its Response. On November 29, 1976 Respondent responded to Complainants' November 15, 1976 motion to strike.

After viewing the particular facts presented, the Board, pursuant to Procedural Rule 334, hereby allows the late submission of Respondent's November 5, 1976 motion. However, as to Respondent's November 12, 1976 motion for stay the Board hereby grants Complainants' motion to strike.

Therefore, all that is presently before this Board is Respondent's November 5, 1976 motion for rehearing.

The Board finds no merit in Respondent's request for rehearing, or vacation or modification of the Board's Order. The motion is 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 2ND day of December, 1976 by a vote of 4-0.


Christan L. Moffett, Clerk

Illinois Pollution Control Board