

ILLINOIS POLLUTION CONTROL BOARD

January 31, 1974

Environmental Protection Agency)
)
)
 v.) PCB 73-55
)
) PCB 73-174
 Peter Eckrich and Sons, Inc., an)
 Indiana Corporation qualified to)
 do business in Illinois; and)
 E.W. Kneip, Inc., an Illinois)
 corporation)

ORDER OF THE ~~BOARD~~ (by Dr. Odell)

On January 3, 1974, the Illinois Pollution Control Board (hereinafter Board) handed down its Order in the above-named action stating specifically in paragraph two of its Order that:

" 2. Respondent Kneip implement fully and completely within the prescribed time limits the program of compliance set out in the Conditions and Provisions of Settlement as agreed to among the parties and incorporated into the July 24, 1973, hearing."

On January 22, 1974, the EPA filed a motion with the Board to modify its Order in this action. The motion is granted. The Board erred in ordering the parties to implement the July 24, 1973, Conditions and Provisions of Settlement. This was, in fact, merely a "tentative settlement" (R-4). A final and fully agreed-upon, signed settlement was filed with the Board on November 28, 1973. To correct two errors in dates in the January 3, 1974, Opinion and Order (#73-55 consolidated with #73-174), two changes are made.

The second full paragraph on page 3 of the January 3, 1974, Opinion and Order in this action should read:

A hearing was held on July 24, 1973, in which a tentative Settlement Proposal was made part of the record. Testimony was given concerning the low profitability of the meat packing business (R-30) and the importance of keeping the business in operation while a program of compliance was being carried out (R-39). On November 28, 1973, the Board received a final Settlement Proposal from the parties. They stipulated that:

Order two on page 6 of the Board's January 3, 1974, Opinion and Order should read:

2. Respondent Kneip implement fully and completely within the prescribed time limits the program of compliance set out in the Conditions and Provisions of Settlement as agreed to among the parties and incorporated into the final Settlement Proposal, which was received by the Illinois Pollution Control Board on November 28, 1973.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Opinion and Order was adopted on the 31st day of January, 1974, by a vote of 5 to 0.


Christan L. Moffett, Clerk