

ILLINOIS POLLUTION CONTROL BOARD
December 13, 1979

ENVIRONMENTAL PROTECTION AGENCY,)
)
 Complainant,)
)
 v.) PCB 75-488
)
 MATERIAL SERVICE CORPORATION,)
 a Delaware Corporation, FREEMAN)
 UNITED COAL MINING COMPANY DIVISION,)
)
 Respondent.)

ORDER OF THE BOARD (by Dr. Satchell):


On August 30, 1976 the parties to this enforcement action entered into a stipulation of facts. Briefs were filed on September 29, 1976. There has been no further activity since that date.

The case concerns abandonment of a strip mine. Since the last filing the legislature has enacted The Surface Coal Mining Land Conservation and Reclamation Act of 1979. There have also been two regulatory proceedings pending before the Board: R76-7 and R76-20 and R77-10, consolidated. Final resolution of R76-7 has been stayed pending resolution of R77-10, the general revision of Chapter 4. The Proposed Order in that proceeding was adopted by the Board on December 13, 1979.

In deciding this case the Board will consider these changes in the law. The parties will have thirty-five days from the date of this Order in which to file additional pleadings if they choose to do so.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 13th day of December, 1979 by a vote of 40.


Christan L. Moffett, Clerk
Illinois Pollution Control Board