

ILLINOIS POLLUTION CONTROL BOARD  
June 8, 1989

|                            |   |           |
|----------------------------|---|-----------|
| REICHHOLD CHEMICALS, INC., | ) |           |
|                            | ) |           |
| Petitioner,                | ) |           |
|                            | ) |           |
| v.                         | ) | PCB 89-94 |
|                            | ) |           |
| ILLINOIS ENVIRONMENTAL     | ) |           |
| PROTECTION AGENCY,         | ) |           |
|                            | ) |           |
| Respondent.                | ) |           |

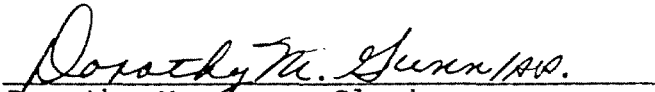
ORDER OF THE BOARD (by B. Forcade):

On May 30, 1989, Reichhold Chemicals, Inc. filed a petition for hearing to contest permit denial for its batch polyester resin plant located in Morris, Illinois. On June 5, 1989, the Illinois Environmental Protection Agency ("Agency") filed an appearance and motion to dismiss. On June 7, 1989, Reichhold Chemicals filed a response in opposition to Agency appearance and motion to dismiss.

The Agency asserts and Reichhold Chemicals agrees that a request for reconsideration is pending with the Agency. The Agency asserts that under Caterpillar Tractor v. IEPA, PCB 83-86, this matter must be dismissed. The Board agrees. The Agency's motion to dismiss is granted and this matter is dismissed.

IT IS SO ORDERED

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 8<sup>th</sup> day of June, 1989, by a vote of 6-0.

  
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Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board