

ILLINOIS POLLUTION CONTROL BOARD
February 8, 1990

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	
)	
v.)	AC 89-164
)	IEPA NO. 9784-AC
)	(Administrative Citation)
KEMP MANUFACTURING)	
COMPANY,)	
)	
Respondent.)	

ORDER OF THE BOARD BY (J. Marlin):

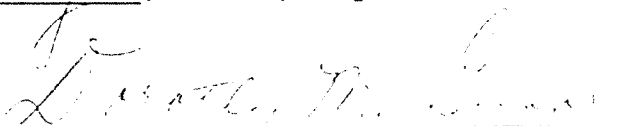
This matter is before the Board on the January 22, 1990 Agency response to Board Order issued December 6, 1989 filed by the Illinois Environmental Protection Agency. The Board issued a Default Order in this matter to the respondent on November 2, 1989. The respondent filed a motion for relief from the Default Order on November 17, 1989.

The respondent stated in the motion for relief that no petition for review was filed with the Board because of confusion as to whether or not a petition needed to be filed. The Agency has admitted, in similar cases, that some confusion concerning Petitions for Review may have occurred in the past, but states that its procedures have been changed to avoid such confusion in the future.

After considering both the motion for relief and the response, the Board believes that there is just cause to vacate its Default Order of November 2, 1989. The Clerk is directed to set this matter for hearing. In addition, the Clerk is to attach, for the respondent's information, Sections 21(p), 21(q), 31.1, 32, and 42(b)(4) of the Environmental Protection Act.

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 8th day of February, 1990, by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board