

ILLINOIS POLLUTION CONTROL BOARD  
November 5, 1981

DEAN FOODS, )  
 )  
 ) Petitioner, )  
 )  
 ) v. ) PCB 81-151  
 )  
 ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, )  
 )  
 ) Respondent. )

ORDER OF THE BOARD (by J. Anderson):

On October 13, 1981 Dean Foods filed a motion to stay certain conditions in NPDES Permit No. IL0003395, which is the subject of this appeal. On November 4, 1981 the Agency filed an opposition to the motion.


During the pendency of the appeal of the above numbered permit, the prior permit remains in effect Borg-Warner Corp. v. Mauzy et al., No. 81-13, slip.op. at 12-13 (3rd Dist. app., October 8, 1981, Alburn, Inc. v. IEPA, PCB 81-23, 24 (March 19, 1981). The motion for stay is accordingly denied as unnecessary.

On October 29, 1981 Dean Foods filed a motion to substitute an exhibit for one attached to the petition. The motion is granted.

IT IS SO ORDERED.

Board Member D. Anderson dissented.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 5<sup>th</sup> day of November, 1981 by a vote of 4-1.

  
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Christan L. Moffett, Clerk  
Illinois Pollution Control Board