

ILLINOIS POLLUTION CONTROL BOARD
June 5, 1986

NESCO STEEL BARREL)	
COMPANY,)	
)	
Petitioner,)	
)	
v.)	PCB 84-81
)	
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

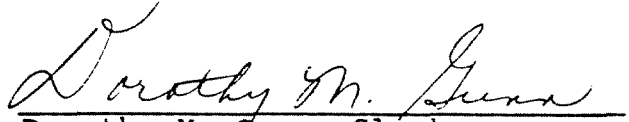
ORDER OF THE BOARD (by J. Anderson):

On May 23, 1986, the Board received the Agency's May 21 motion to dismiss Nesco's May 12 amended petition on the grounds that the petition did not contain an adequate compliance plan. However, on May 22, the Board on its own motion issued a "more information" Order addressing the compliance plan issue and requiring Nesco to file an amended petition. Nesco filed a response in opposition to the Agency's motion on May 30, 1986.

In light of the Board's May 22 Order, the Agency's motion is denied as moot. The Board does not construe Nesco's May 30 filing as responsive to the May 22 Order, and continues to anticipate that Nesco will file an amended petition as the Order directs. Finally, the Agency is free to renew its motion upon Nesco's filing of a third amended petition.

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 5th day of June, 1986, by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board