

ILLINOIS POLLUTION CONTROL BOARD

August 9, 1973

ENVIRONMENTAL PROTECTION AGENCY,)
)
 Complainant,)
)
 vs.) PCB 72-493
)
 ROLAND W. FRIEDER, d/b/a)
 JOLIET INDUSTRIAL DISTRICT,)
)
 Respondent.)

ORDER OF THE BOARD (BY MR. DONALD A. HENSS)

Respondent Joliet Industrial District moves that this Board dismiss the pending Amended Complaint insofar as that Amended Complaint prays for the imposition of a monetary fine. The motion is denied for now. Respondent raises an issue which has been decided differently by the Appellate Courts of this State and we believe will ultimately be decided by the Supreme Court. In order to be consistent and uniform in its application of the law to pollution problems in various parts of the State, the Board will deny such motions pending review of this issue by the Illinois Supreme Court.

The motion to dismiss is denied.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 9th day of August, 1973 by a vote of 3 to 0.

Christan L. Moffett