

ILLINOIS POLLUTION CONTROL BOARD  
September 1, 1994

PEOPLE OF THE STATE )  
OF ILLINOIS, )  
 )  
Complainant, )  
 )  
v. ) PCB 94-84  
 ) (Enforcement)  
WINNEBAGO RECLAMATION )  
SERVICE, INC., an Illinois )  
corporation, and )  
WM. LANS SON'S CO., INC., )  
an Illinois corporation, )  
 )  
Respondents. )

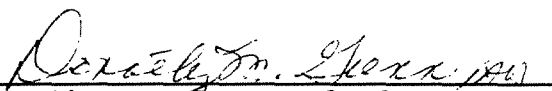
ORDER OF THE BOARD (by J. Theodore Meyer):

This matter is before the Board on complainant the People of the State of Illinois' August 25, 1994 motion for voluntary dismissal of certain counts of the complaint in this case. Complainant seeks to dismiss Counts I and II, directed against respondent Winnebago Reclamation Service, Inc. (Winnebago), alleging special waste violations. Complainant also seeks to dismiss Counts VII and VIII, alleging special waste violations against Wm. Lans Son's Co., Inc. (Lans). Complainant notes that a dismissal of those four counts would dismiss Lans from the proceeding entirely, and would leave Counts III, IV, V, and VI against Winnebago.

The motion to voluntarily dismiss Counts I, II, VII, and VIII is granted. Pursuant to complainant's request, the Board orders that: Lans is dismissed with prejudice; Winnebago's motion to compel answers to interrogatories is rendered moot, thus excusing complainant from responding to that motion; each party will bear its own costs incurred in pursuit or defense of Counts I, II, VII, and VIII. Additionally, the hearing officer is directed to conduct a prehearing conference for the purpose of reporting on the status of settlement discussions.

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 12<sup>th</sup> day of September, 1994, by a vote of 6-0.

  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board