

ILLINOIS POLLUTION CONTROL BOARD

February 7, 1980

ENVIRONMENTAL PROTECTION AGENCY,)
)
 Complainant,)
)
 v.) PCB 79-70
)
 EDWARD and LYDIA SANDMAN,)
)
 Respondents.)

ORDER OF THE BOARD (by Dr. Satchell)

On January 11, 1980 the Environmental Protection Agency (Agency) filed a motion for sanctions pursuant to Procedural Rule 701. The motion sets forth that June 4, 1979 the Agency served a request to produce documents and interrogatories on Respondents. On June 26, 1979 and October 15, 1979 the Hearing Officer ordered Respondents to answer within twenty-eight days. Respondents have made no response to date either to the discovery or the motions. The motion is granted. Respondents are debarred from filing any pleading relating to or maintaining any claim, counterclaim, third party complaint or defense relating to or offering any witness to testify concerning the following issues:

1. Whether or not Respondents own or control the public water supply described in the complaint;
2. The number of hydrants contained in Respondents' public water supply system;
3. The economic reasonableness of Respondents' public water supply complying with the provisions of the Environmental Protection Act and Board Rules promulgated thereunder that Respondents are charged with violating;
4. The technological feasibility of Respondent's public water supply complying with the provisions of the Environmental Protection Act and Board Rules promulgated thereunder that Respondents are charged with violating;

5. The ability of Respondents to pay any penalty that may be imposed by the Board in this matter.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 7th day of February, 1980 by a vote of 4-0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board