ILLINOIS POLLUTION CONTROL BOARD
March 24, 1983

UNITY VENTURES, Petitioner,	)	
v.	)	PCB 80-175
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY AND COUNTY OF DU PAGE, Respondents.	)	

ORDER OF THE BOARD (by I. G. Goodman):

On March 11, 1983 the Illinois Environmental Protection Agency (Agency) filed a Motion in Limine requesting that Petitioner, Unity Ventures (Unity), be limited in its presentation of evidence in any hearing on the merits of this case pursuant to the sanctions imposed in the Board's December 2, 1982 Order herein pursuant to 35 Ill. Adm. Code 107.101(c). Unity filed its Response on March 17, 1983 stating that the sanctions imposed were solely addressed to the previous variance petition and do not apply to Unity with respect to the present variance petition. Unity cannot escape sanctions imposed for cause merely by filing an amended petition. The Board will not allow that which cannot be done directly to be done by indirection. The Agency's Motion in Limine is hereby granted.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 24th day of March, 1983 by a vote of 5-0.

Christan L. Moffett
Christan L. Moffett, Clerk
Illinois Pollution Control Board