

ILLINOIS POLLUTION CONTROL BOARD
December 4, 1980


ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,)
)
 Complainant,)
)
 v.) PCB 80-191
)
 CITY OF BENTON AND JAMES P. ODOM,)
)
 Respondent.)

INTERIM ORDER OF THE BOARD (by J. Anderson):

The City of Benton's November 24, 1980 motion to dismiss the Complaint is denied. As the Agency noted in its December 3 response, the allegation that Benton owns the sewer line discharging the contaminant complained of is sufficient to state a cause of action for causing or allowing water pollution.

IT IS SO ORDERED.

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



Christan L. Moffett, Clerk
Illinois Pollution Control Board