

ILLINOIS POLLUTION CONTROL BOARD
February 19, 1981

CROOK DEVELOPMENT COMPANY,)
)
Petitioner,)
)
v.) PCB 80-230
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

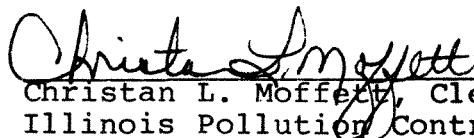
ORDER OF THE BOARD (by J. Anderson):

On January 29, 1981 the Illinois Environmental Protection Agency moved the Board to join Stookey Township (Stookey) as an additional petitioner in this action. The stated grounds for the motion are that Stookey is a necessary party to the petition, as Stookey owns and operates the sewage treatment plant, the restricted status of which is the subject of Crook Development Company's (Crook) petition. On February 4, 1981, Crook stated that it had no objection to the motion. The Board further notes that Stookey took part in a conference with the Agency held January 23, 1981, some of the results of which are contained in the Agency's Recommendation in support of variance, filed February 13, 1981.

However, the Board notes that service of the instant motion was made on the Board of Town Auditors of the Town of Stookey, rather than on officials of Stookey Township. While the Board agrees that the owner and operator of the treatment plant is a necessary party to this petition, who is hereby joined to this action, the identity of that necessary party is unclear to the Board. Therefore, Crook Development is hereby ordered to amend petition to identify the treatment plant owner, and to include certification that the necessary party has been served with the pleadings in this action, and the instant Order, pursuant to Procedural Rule 305(a). If an amended petition is not filed within 45 days of the date of this Order, this petition will be subject to dismissal.

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 19th day of February, 1981 by a vote of 5-0.


Christan L. Moffett, Clerk
Illinois Pollution Control Board