

ILLINOIS POLLUTION CONTROL BOARD  
March 29, 1979

ENVIRONMENTAL PROTECTION AGENCY, )  
)  
Complainant, )  
)  
v. ) PCB 79-5  
)  
CROSSROADS U.S.A., INC., an Iowa )  
Corporation, BROWNE BARR, CHARLES )  
JORDAN, DALLAS CRANDALL and LARRY )  
W. MC CASLAND, )  
)  
Respondents. )


ORDER OF THE BOARD (by Mr. Goodman):

On March 12, 1979, Respondents filed a Motion to Dismiss Complaint or, in the Alternative, to Stay Proceedings based upon the recent decision by the United States Court of Appeals for the Seventh Circuit in Citizens for a Better Environment v. EPA et al., No. 78-1042, decided January 26, 1979.

It is the opinion of the Board that until such time as approval of the Illinois NPDES program is withdrawn, the Board retains NPDES jurisdiction. Finding no compelling reason to stay the proceedings herein, the Board hereby denies Respondents' Motion to Dismiss Complaint or, in the Alternative, to Stay Proceedings.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 29<sup>th</sup> day of March, 1979 by a vote of 5-0.

  
Christan L. Moffett, Clerk  
Illinois Pollution Control Board