

ILLINOIS POLLUTION CONTROL BOARD
April 27, 1978

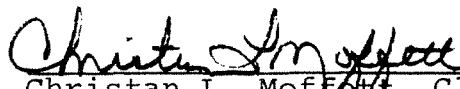
ENVIRONMENTAL PROTECTION AGENCY,)
)
Complainant,)
)
vs.) PCB 75-218
)
E. LYSLE EPPERSON, ALPHA FAY)
EPPERSON AND LYSLEEN HUNTER,)
)
Respondents.)

ORDER OF THE BOARD (by Dr. Satchell):

Respondents have filed a motion on April 20, 1978 to dismiss this matter for failure of the Environmental Protection Agency (Agency) to respond to discovery. On April 25, 1978 the Agency responded to the motion and sent the answers to the interrogatories. The hearing officer after the February 22, 1978 hearings ordered the answers to the interrogatories be submitted. The Agency admits the answers are late but that Respondents have shown no prejudice. The Board will deny the motion to dismiss; however, should Respondents find that the responses raise new matters relevant to their defense Respondents should have an opportunity to present further evidence at hearing.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 27th day of April, 1978 by a vote of 5-0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board