

ILLINOIS POLLUTION CONTROL BOARD
February 16, 1978

PEOPLE OF THE STATE OF ILLINOIS,)
)
 Complainant,)
)
 v.) PCB 77-341
)
ORDMAN'S PARK AND SHOP, INC.,)
)
 Respondent.)

ORDER OF THE BOARD (by Mr. Goodman):


On December 19, 1977, the People of the State of Illinois (People) filed a Complaint Against Ordman's Park and Shop, Inc., (Ordman's). On January 24, 1978, Ordman's filed a Motion to Strike or Dismiss the Complaint. On January 30, 1978, the People filed a Motion to Amend Complaint, and on February 14, 1978, the People filed a Motion to Withdraw Count III of the Complaint.

The People's Motion to Amend Complaint is hereby granted. Ordman's Motion to Dismiss is denied, but Ordman's Motion to Strike is granted as to Count III of the Amended Complaint. Because Count III has been stricken, the Agency's Motion to Withdraw is moot and is hereby dismissed.

The Board finds that Counts I and II of the Amended Complaint are not frivolous or duplicitous. The matter shall be set for 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 16th day of February, 1978 by a vote of 5-0.


Christan L. Moffett, Clerk
Illinois Pollution Control Board