

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

On March 6, 1978, Respondent filed a Motion to Reconsider Denial of Motion to Strike or Dismiss Complaint as Frivolous and Duplicitous. After careful consideration of all the pleadings, the Board finds that Count I is not frivolous or duplicitous. For reasons set forth in our decision in Ordman's Lemont Park and Shop, PCB 78-39, the Board will dismiss Count II as frivolous.

Mr. Goodman dissented.

Christian L. Moffett, Clerk
Illinois Pollution Control Board