ILLINOIS POLLUTION CONTROL BOARD March 16, 1978

PEOPLE OI	THE STATE OF ILLINOIS,)	
	Complainant,)	
	V.) PC	в 77-341
	PARK & SHOP, INC., an corporation,)	
	Respondent.)	

ORDER OF THE BOARD (by Mr. Young):

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.

IT IS SO ORDERED.

Mr. Goodman dissented.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 11^{-1} day of 1978 by a vote of 4-1.

Christan L. Moffett erk

Illinois Pollution Control Board