

ILLINOIS POLLUTION CONTROL BOARD
August 4, 1977

ENVIRONMENTAL PROTECTION AGENCY,)
)
 Complainant,)
)
 v.) PCB 77-60
)
)
 CECIL M. COMMANS, JOANNE COMMANS,)
 FLOYD HAYNES, d/b/a HAYNES)
 CONSTRUCTION & CONCRETE COMPANY, and)
 DU PAGE COUNTY FOREST PRESERVE)
 DISTRICT,)
)
 Respondents.)

ORDER OF THE BOARD (by Mr. Goodman):


On June 30, 1977, Complainant submitted a Motion for Leave to File Second Amended Complaint. On July 6, 1977, Respondent Du Page County Forest Preserve District (District) filed an Answer to Second Amended Complaint and a Motion for Continuance. In its Answer, the District requested that Count II of the Second Amended Complaint be dismissed as it pertains to the District.

The Board hereby grants Complainant Leave to file a Second Amended Complaint. However, the Second Amended Complaint filed on June 30 contains no page 5, apparently the page on which Count II begins. We will, therefore, reserve ruling on the District's motion to dismiss Count II until we receive page 5 and hereby order Complainant to submit the missing page.

Because the hearing has already been held, the Motion for Continuance is dismissed as moot.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order of the Board was adopted on the 4th day of August, 1977 by a vote of 5-0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board