

ILLINOIS POLLUTION CONTROL BOARD
March 28, 1977

ENVIRONMENTAL PROTECTION AGENCY,)	
)	
Complainant,)	
)	
v.)	PCB 77-37
)	
JOHN DAUBS,)	
)	
Respondent.)	

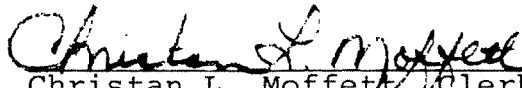
ORDER OF THE BOARD (by Mr. Young):

Complainant's Motion to Strike Respondent's Answer is hereby denied. In making this determination the Board has given considerable weight to the fact that although the Act does not require a Respondent to even file a written answer, Respondent did file his Answer in compliance with Supreme Court Rule 181(a). The Board also points out that the new Procedural Rule 314(a) prohibits any party from filing a Request for Admission within 21 days after the Complaint has been filed. Because of this ruling, although recognizing that the parties may already be at issue as regards to several of the allegations involved herein, the Board will allow Respondent an additional 20 days to answer the Request for Admission of Facts previously filed herein.

IT IS SO ORDERED.

Mr. Zeitlin dissented.

I, Christian L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 28th day of March, 1977 by a vote of 4-1.


Christian L. Moffett, Clerk
Illinois Pollution Control Board