

ILLINOIS POLLUTION CONTROL BOARD  
April 28, 1977

PEOPLE OF THE STATE OF ILLINOIS	)	
and ENVIRONMENTAL PROTECTION AGENCY,	)	
	)	
Complainant,	)	
	)	
v.	)	PCB 76-290
	)	
DODGE TROPHIES, INC., a Delaware	)	
corporation,	)	
	)	
Respondent.	)	

ORDER OF THE BOARD (by Mr. Young):


This matter is before the Board on Respondent's Motion to Dismiss which was filed on February 15, 1977. The Motion is based on the theory that Respondent's Sanitary Water Board Permit which was issued in 1967 should be deemed to be a permit issued by the Agency within the meaning of Rule 953(a). The Board believes that Rule 956(a) plainly provides otherwise. Rule 956(a) states that the issuance of any permit by any predecessor will not excuse compliance with the operating permit requirements of Rule 953. As pointed out by Complainants, the Board also notes that this language was contained in Rules 903(a) and 908 of an earlier version of our Water Regulations which were adopted by the Board on March 7, 1972. In view of the foregoing, the Motion to Dismiss is hereby denied.

Respondent's Motion to Strike Portion of Complainants' Response to Brief in Support of Motion to Dismiss is hereby granted.

The Joint Motion for Continuance filed on April 20, 1977, is hereby granted.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 28th day of April, 1977 by a vote of 5-0.

  
Christan L. Moffett, Clerk  
Illinois Pollution Control Board