

ILLINOIS POLLUTION CONTROL BOARD
March 25, 1976

VERNA FOGELSONG KUHN,)
)
 Complainant,)
)
 v.) PCB 76-71
)
 HINSDALE SANITARY DISTRICT,)
 and VILLAGE OF CLARENDON HILLS,)
)
 Respondents.)

ORDER OF THE BOARD (by Mr. Zeitlin):

The Complaint filed March 10, 1976, is inadequate in several respects:

1. The Complaint is not sufficiently specific to provide Respondents with notice of exactly how they are alleged to have violated Chapter 3: Water Pollution, of the Board's Rules and Regulations, and the Environmental Protection Act. Specific acts and dates of violation should be included in the Complaint, relating exactly how those specific acts are in contravention of Respondents' duties under the Act or our Regulations.

2. The Complaint is not sufficient, on its face, to show that the Board has jurisdiction over all of the alleged violations. For example, it is not clear that the Board has jurisdiction to adjudicate flood drainage issues.

3. The alleged "damage to person and dwelling and property" is not adequately described.

As a result of those inadequacies, the Complaint must be dismissed, without prejudice.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 25th day of March, 1976, by a vote of 5-0.


Christan L. Moffett, Clerk
Illinois Pollution Control Board