

ILLINOIS POLLUTION CONTROL BOARD
November 26, 1975

ENVIRONMENTAL PROTECTION AGENCY,)
Complainant,)
v.) PCB 74-471
WILFORD E. ("Ernie") JOHNSON and)
NORMA I. JOHNSON, d/b/a)
BYRON SALVAGE,)
JULIAN KULLBERG, d/b/a ROTO-ROOTER,)
INTERSTATE POLLUTION CONTROL,)
INC., and)
KULLBERG ENTERPRISES, INC.,)
Respondents.)

ORDER OF THE BOARD (by Mr. Goodman):

This matter comes before the Pollution Control Board (Board) upon Respondent Kullberg Enterprises, Inc.'s (Enterprises) Motion to Dismiss. As the allegations of the complaint specify that the violations involved are of a continuing nature which include the time period within which Enterprises admits it existed, the motion will be denied. For the same reason, the Statute of Limitations does not bar prosecution.

It is the Order of the Board that Respondent Enterprises' Motion to Dismiss be and is, hereby, denied.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 26th day of November, 1975 by a vote of 4-0.


Christan L. Moffett, Clerk
Illinois Pollution Control Board