

ILLINOIS POLLUTION CONTROL BOARD
August 28, 1975

JOSEPH T. ENDERS,)
)
 Complainant,)
)
 v.) PCB 75-283
)
)
 VILLAGE OF GLENDALE HEIGHTS,)
)
 Respondent.)
)

ORDER OF THE BOARD (by Mr. Dumelle):

The Motion To Strike and Dismiss filed by Respondent is granted in part and dismissed in part. The request to discuss that portion of the complaint alleging a violation of a previous Board Order is dismissed as moot in that we have previously dismissed said portion of the complaint. The request to strike the portions of the complaint referring to alleged spilling of raw sewage and power outage is denied. The formal complaint sufficiently apprises Respondent of the alleged violation of Section 9(a) by "odorous gas". The allegations of spilled sewage and power outages are relevant and material to the alleged violation of Section 9(a), and they are not unduly prejudicial to Respondent.

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 August, 1975 by a vote of 3-0.

Christan L. Moffett (gr)
Christan L. Moffett, Clerk
Illinois Pollution Control Board