

ILLINOIS POLLUTION CONTROL BOARD
December 11, 1975

PEOPLE OF THE STATE OF ILLINOIS,)
)
 Complainant,)
)
 v.) PCB 75-431
)
 BRIAN RESTAURANT CORPORATION,)
 an Illinois corporation,)
 and BATAVIA BANK, as Trustee)
 under Trust No. 274,)
)
 Respondent.)

ORDER OF THE BOARD (by Mr. Young):

This matter comes before the Pollution Control Board (Board) upon the Petition for Reconsideration and Motion for Leave to File an Amended Complaint filed by Complainant, People of the State of Illinois, on December 3, 1975. Complainant also submits an Amended Complaint.

Due to a finding that the sections of the Environmental Protection Act and Water Pollution Regulations cited did not support a finding of the violations alleged, the Board on November 26, 1975 dismissed without prejudice the complaint filed by Complainant on November 6, 1975. The Amended Complaint submitted by Complainant cures the deficiencies of the original complaint. Therefore, the Board grants Complainant's Petition for Reconsideration, vacates its Order of November 26, 1975, and grants the Motion for Leave to File an Amended Complaint.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 11th day of December 1975 by a vote of 4-0.


Christan L. Moffett, Clerk
Illinois Pollution Control Board