

ILLINOIS POLLUTION CONTROL BOARD
September 18, 1975

ENVIRONMENTAL PROTECTION AGENCY,)
Complainant,)
)
v.) PCB 75-56
)
RANDALL L. LOVELESS,)
Respondent.)

INTERIM ORDER OF THE BOARD (By Mr. Zeitlin):

This matter is before us on an Interlocutory Appeal brought by Complainant Environmental Protection Agency. Complainant appeals certain rulings made at hearing by the Hearing Officer. We find that

1. The Hearing Officer's characterization of this proceeding as "criminal" was serious error.
2. The Hearing Officer's ruling to exclude Complainant's evidence was error.

The issues raised on Complainant's Motion are decided for Complainant. This cause is remanded to the Hearing Officer for further hearing or proceedings in conformity with this decision.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Interim Order was adopted on the 18th day of September, 1975 by a vote of 3-0.


Christan L. Moffett, Clerk
Illinois Pollution Control Board