

ILLINOIS POLLUTION CONTROL BOARD

July 25, 1974

CITIZENS FOR A BETTER ENVIRONMENT, )  
an Illinois Not-For-Profit Corp., )  
Complainant, )  
vs. ) PCB 74-245  
WOODRUFF AND EDWARDS COMPANY, )  
an Illinois corporation, )  
Respondent. )

ORDER OF THE BOARD (by Mr. Henss):

Respondent has filed Motion requesting that this Board dismiss the Complaint on the ground that it is duplicitous or frivolous. After a review of the Complaint and the Motion it is our conclusion that the Complaint is not duplicitous or frivolous and therefore the Motion will be denied. Some of the points raised in the Motion may be pertinent later in the case and therefore the denial will be without prejudice to the right of Respondent to make similar contentions later.

It is Ordered that the Motion to Dismiss be denied without prejudice and that the Complaint be scheduled for hearing on its merits.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted this 25<sup>th</sup> day of July, 1974 by a vote of 5 to 0.

Christan L. Moffett