

ILLINOIS POLLUTION CONTROL BOARD  
March 18, 2004

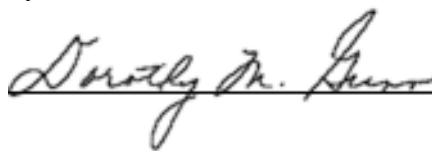
PEOPLE OF THE STATE OF ILLINOIS,     )  
  )  
    Complainant,                                    )  
  )  
    v.    )     PCB 04-13  
  )     (Enforcement - Air)  
INTERMATIC INCORPORATED, a                    )  
Delaware corporation,                            )  
  )  
    Respondent.                                    )

ORDER OF THE BOARD (by N.J. Melas):

On March 9, 2004, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), moved to voluntarily dismiss count IV of a nine-count complaint against Intermatic Incorporated (Intermatic). The People contend that count IV alleged that Intermatic made a major modification to a source without complying with New Source Review requirements. The People maintain the allegation was based on a mistaken belief and that the emissions from the unit actually added do not amount to a major modification. Accordingly, the People move to voluntarily dismiss, without prejudice, count IV of the complaint. The Board grants the People's motion, dismisses count IV of the complaint, and directs the parties to hearing on the remaining eight counts of the complaint.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on March 18, 2004, by a vote of 5-0.



Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board