

ILLINOIS POLLUTION CONTROL BOARD
August 12, 1976

ENVIRONMENTAL PROTECTION AGENCY,)
)
 Complainant,)
)
 v.) PCB 76-190
)
)
 ILLINOIS CENTRAL GULF RAILROAD)
 COMPANY, et al.,)
)
 Respondents.)

ORDER OF THE BOARD (by Mr. Goodman):

1. Motion to Substitute Parties and to Make Finding of Service by the Illinois Environmental Protection Agency dated August 6, 1976 is hereby granted. General American Transportation Corporation, a New York Corporation, is made a party hereto and GATX Leasing Corporation is discharged. General American Transportation Corporation is deemed served in this matter.
2. The August 2, 1976 Motion to Dismiss by GATX Leasing Corporation, a Delaware Corporation, is hereby dismissed as moot.
3. General American Transportation Corporation's Motion to Dismiss of August 2, 1976 is hereby denied. It is a question of fact whether the maintenance of the railroad cars involved in this complaint contributed to the alleged pollution, which maintenance is the responsibility of General American Transportation Corporation under paragraph (6) of their tank car service contract dated November 30, 1965.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 12th day of August, 1976 by a vote of 5-0.

Christan L. Moffett
Christan L. Moffett, Clerk
Illinois Pollution Control Board