

ILLINOIS POLLUTION CONTROL BOARD
April 12, 1979


PALOS CONSERVATION COMMITTEE, et al.,)
)
Complainants,)
)
and)
)
PEOPLE OF THE STATE OF ILLINOIS,)
)
Intervenor-)
Complainants,)
)
v.) PCB 76-191
)
LANDFILL, INC., et al.,)
)
Respondents.)

ORDER OF THE BOARD (by Mr. Goodman):

On March 7, 1979, Landfill, Inc., filed its Motion for an Order dismissing the Complaint in this case, citing as grounds the Illinois Supreme Court decision rendered in Landfill, Inc. v. Illinois Pollution Control Board, ___ Ill.2d ___ (1978) (Docket No. 50198) holding invalid rule 503(a) of the Board's Procedural Rules and 205(j) of the Board's Solid Waste Regulations, the basis for the instant complaint. The Board finds that any other basis for the complaint that may exist is so intertwined with the allegations concerning the invalidated rules as to make an intelligent decision by the Board in the case impossible. The Board, therefore, dismisses the entire proceeding. The March 12, 1979 Palos Conservation Committee Motion for Leave to File an Amended Complaint, the March 16, 1979 Landfill, Inc. Motion for Hearing, the March 20, 1979 Environmental Protection Agency Motion to Dismiss, and the March 21, 1979 Motion of the People of the State of Illinois are hereby dismissed as moot.

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 April, 1979 by a vote of 5-0.


Christan L. Moffett, Clerk
Illinois Pollution Control Board