

ILLINOIS POLLUTION CONTROL BOARD  
May 29, 1980

WILLOWBROOK DEVELOPMENT CORP. )  
and DUPAGE COUNTY DEPARTMENT )  
OF PUBLIC WORKS, )  
 )  
Petitioners, )  
 )  
v. ) PCB 80-58  
 )  
ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
 )  
Respondent. )

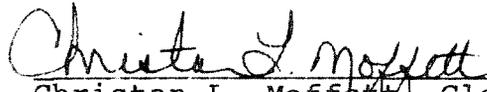
ORDER OF THE BOARD (by I. Goodman):

Petitioner Willowbrook's May 15, 1980 motion to strike Respondent's May 8, 1980 Motion to Dismiss is denied. Joinder of the County of DuPage gives right to file such motion within 14 days after the county has filed any amendment to this variance petition. Thus, Respondent's Motion to Dismiss is not untimely.

Respondent's May 8, 1980 Motion to Dismiss is denied. The issues it raises are immaterial to the joinder of DuPage County and could have been raised within 14 days of the filing of the April 4, 1980 variance petition.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 29<sup>th</sup> day of May, 1980 by a vote of 4-0.

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