

ILLINOIS POLLUTION CONTROL BOARD  
October 28, 1976

ENVIRONMENTAL PROTECTION AGENCY, )  
 )  
 Complainant, )  
 )  
 v. ) PCB 74-455  
 )  
 UNITED STATES TOBACCO COMPANY, )  
 a New Jersey corporation, )  
 )  
 Respondent. )

ORDER OF THE BOARD (by Mr. Young):

Complainant's Motion to Strike filed on October 1, 1976, is hereby granted. The record in this matter was reopened to allow written argument on the effect of the Commonwealth Edison decision on this enforcement case and not for the purpose of receiving new evidence. Because the affidavit to which Complainant objects contains additional information, it will therefore be stricken from the record.

Complainant's Request for Oral Argument filed on October 6, 1976, is hereby denied.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 28<sup>th</sup> day of October, 1976 by a vote of 5-0.

  
Christan L. Moffett, Clerk  
Illinois Pollution Control Board