

certain specified circumstances not applicable to the instant proceeding. We believe that sovereign immunity has been waived in this respect and, accordingly, deny Respondent's motion to dismiss. (See California v. Davidson, 1 ERC 1899, 1 ELR 20606, N. D. Cal., January 17, 1971, construing comparable provisions of prior legislation).

Complainant is authorized to amend the caption of the case to reflect that Glenview Naval Air Station is a facility of the Department of the Navy, which is a part of the executive branch of the United States Government. The Board finds that the complaint filed herein is neither frivolous nor duplicitious and directs that hearing be held accordingly.

IT IS SO ORDERED.

I, Christan Moffett, Clerk of the Illinois Pollution Control Board, certify that the above Order was adopted on the 14th day of February, 1973, by a vote of 5 to 0.

Christan Moffett