

ILLINOIS POLLUTION CONTROL BOARD  
May 9, 1974

ENVIRONMENTAL PROTECTION AGENCY, )  
 )  
Complainant, )  
 )  
vs. ) PCB 72-412  
 )  
CHARLES J. TRIONE & BETHAL TERRACE, )  
INC., )  
 )  
Respondents. )

ORDER OF THE BOARD (by Mr. Seaman):

The parties are hereby ordered to submit to this Board briefs regarding the above-captioned cause. Said briefs must be filed with this Board on or before May 30, 1974. Should either party deem a reply brief necessary, reply briefs must be filed on or before June 13, 1974.

The parties may brief the case as they see fit; however, we request the parties' address, without limitation, the following issues:

1. Complainant introduced the testimony of numerous witnesses who testified categorically that the alleged offensive odors emanated from Respondent's treatment lagoon. Respondent introduced the testimony of numerous witnesses who testified categorically that the alleged offensive odors did not emanate from Respondent's treatment lagoon, but rather from a nearby egg ranch.

2. Respondents' liability for mineral-laden run-off water from adjacent property.

3. Respondents' liability for using tires and construction debris in an alleged attempt to prevent erosion.

4. The water pollution standard applicable to the effluent from Respondents' treatment lagoon.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, certify that the above Order was adopted on this 9<sup>th</sup> day of May 1974 by a vote of 5-0.

*Christan L. Moffett*