ILLINOIS POLLUTION CONTROL BOARD
August 29, 1974

CITY OF PLANO	)	
v.	)	PCB 74-244
ENVIRONMENTAL PROTECTION AGENCY	)	

ORDER OF THE BOARD (by Mr. Dumelle):

The Agency in its motion filed July 22, 1974 (amended July 29, 1974) asks to dismiss the petition as moot since the landscape wastes for which permission to burn was sought is alleged to have already been burned.

The petition is not moot, since its grant could protect the City of Plano from an enforcement action by either the Agency or any citizen. The Agency should proceed to file a recommendation and the case will be decided at a later date.

Motion to Dismiss is denied.

IT IS SO ORDERED.

Mr. Seaman dissents.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 29th day of August, 1974 by a vote of 4-1.

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