

ILLINOIS POLLUTION CONTROL BOARD
July 26, 1973

ENVIRONMENTAL PROTECTION AGENCY)
)
) #72-465
 v.)
)
 DEL MONTE CORPORATION)

ORDER OF THE BOARD (BY SAMUEL T. LAWTON, JR.):

Motion to strike and dismiss has been filed by Respondent alleging the absence of authority in the Board to impose a monetary penalty based on alleged constitutional inhibitions and contending that the absence of a right to trial by jury violates constitutional rights.

The motion to strike and dismiss is denied.

IT IS SO ORDERED.

I, Christan Moffett, Clerk of the Pollution Control Board, certify that the above Order was adopted on the 26th day of July, 1973, by a vote of 4 to 0.

Christan Moffett