ILLINOIS POLLUTION CONTROL BOARD

November 7, 1974

NATIONAL BY-PRODUCTS, INC.	)	
	)	
Petitioner,	)	
	)	
vs.	)	PCB 74-322
	)	
ENVIRONMENTAL PROTECTION AGENCY,	)	
	)	
Respondent.	)	

ORDER OF THE BOARD (by Mr. Henss):

Petitioner National By-Products, Inc. has filed a Motion to Strike "Respondent's Reply to Interim Order of the Illinois Pollution Control Board and Reply to Petitioner's Response". The ground for Petitioner's Motion is that the Agency was two days late in filing its pleading. The Agency had been ordered to file its reply within seven days after receipt of Petitioner's evaluation report but took nine days.

The Board does not feel that a two day delay is sufficient cause for striking the pleading and will deny the Motion to Strike.

It is Ordered that Petitioner's Motion to Strike be denied.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted this 7th day of November, 1974 by a vote of 4 to 0.

Christan L. Moffett