

ILLINOIS POLLUTION CONTROL BOARD
January 11, 1990

WALTER ZYZNIEUSKI,)
)
 Complainant,)
)
 v.) PCB 89-203
) (Enforcement)
)
 SPRINGFIELD PUBLIC SCHOOLS,)
 UNIT DISTRICT NO. 186,)
)
 Respondent.)

ORDER OF THE BOARD (by J. Marlin):

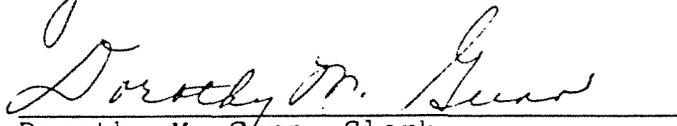
On December 13, Complainant Walter Zyznieuski filed a Formal Complaint against Springfield Public Schools, Unit District No. 86 alleging that Respondent School District operates an incinerator which constitutes "a public nuisance". By letter to the Board dated December 26, 1989, the School District denied the allegations of the Complaint and stated that it "decided to terminate the operation of the incinerator on Friday, December 22, 1989." Because the School District's statements concerning its actions or intentions are unsworn, and subject to affirmative proof, the Board will not dispose of this matter on the pleadings.

This matter is therefore accepted for hearing. The Board will assign a Hearing Officer who will contact the parties in the near future.

IT IS SO ORDERED.

Board Member J. Theodore Meyer dissented.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 11th day of January, 1990, by a vote of 6-1.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board