

ILLINOIS POLLUTION CONTROL BOARD
November 21, 1984

WILLIAM H. CLARKE and)
PIONEER PROCESSING, INC.,)
)
Petitioners,)
)
v.) PCB 84-150
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

ORDER OF THE BOARD (by J. D. Dumelle).

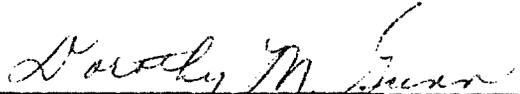
This matter comes before the Board upon a November 1, 1984, motion to dismiss filed on behalf of The County of LaSalle, Rosemary Sinon, Marie Madden and Joan Benya Bernabei (hereinafter "movants") to dismiss this appeal or, alternatively, to affirm the Illinois Environmental Protection Agency's denial of the permit which underlies this action. On November 15, 1984, William H. Clarke and Pioneer Processing, Inc. filed a response urging that the motion be stricken or denied.

As far as the record shows, the movants have not, as of yet, been granted intervention, nor has such status even been requested. Therefore, movants are without standing to make such a motion and the motion should be stricken. Furthermore, even if the movants had standing, the Board is being asked to take final action on this proceeding without the benefit of hearing which the Board would not do given the facts of this case.

The movant's November 1, 1984, motion is hereby stricken.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 31st day of December, 1984 by a vote of 5-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board