

ILLINOIS POLLUTION CONTROL BOARD
October 9, 1986

ILLINOIS ENVIRONMENTAL PROTECTION)
AGENCY,)
)
Complainant,)
)
v.) PCB 79-145
)
THE CELOTEX CORPORATION AND)
PHILIP CAREY,)
)
Respondents.)

ORDER OF THE BOARD (by J. Anderson):

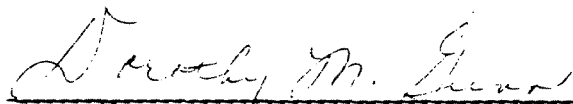
On September 24, 1986, the Agency moved the Board to dismiss Counts I, II, III and V of this Complaint with leave to reinstate. Celotex filed a response in opposition on October 2.

Dismissal with leave to reinstate would be inappropriate given the circumstances here, including the fact that 21 hearings have been held. The Agency's motion is denied.

IT IS SO ORDERED.

J. D. Dumelle concurred.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 9th day of October, 1986, by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board