

ILLINOIS POLLUTION CONTROL BOARD
February 3, 1977

ENVIRONMENTAL PROTECTION AGENCY,)	
and CITIZENS FOR A BETTER ENVIRONMENT,)	
an Illinois not-for-profit corporation,)	
)	
)	
Complainants,)	
)	
)	
v.)	PCB 76-282
)	
)	
)	
WELLS MANUFACTURING COMPANY, an)	
Illinois corporation,)	
)	
Respondent.)	

ORDER OF THE BOARD (by Mr. Goodman):

This action was filed before the Board on November 5, 1976. On December 16, 1976, the Board ordered the parties herein to submit Briefs on the question of whether or not the Board had jurisdiction over the subject complaint. On that same date Respondent filed a Motion to Stay Proceedings until such time as the Appellate Court of Illinois, First Judicial District, has reviewed the Board's Opinion and Order of February 26, 1976 in PCB 73-403, the subject of this action. Briefs having been filed, the Board finds that it has jurisdiction in this matter and that the complaint is neither frivolous nor duplicitous. However, the Board will grant Respondent's Motion to Stay Proceedings until such time as the Appellate Court resolves Respondent's appeal in PCB 73-403.

IT IS SO ORDERED.

Mr. Dumelle dissented.
Mr. Zeitlin dissented.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 3rd day of February, 1977 by a vote of 3-2.


Christan L. Moffett, Clerk
Illinois Pollution Control Board