

ILLINOIS POLLUTION CONTROL BOARD  
May 6, 1976

ENVIRONMENTAL PROTECTION AGENCY, )  
 )  
 Complainant, )  
 )  
 v. ) PCB 76-59  
 )  
 )  
 RALPH FISCHBACH & FLOYD FISCHBACH, )  
 )  
 Respondents. )

ORDER OF THE BOARD (by Mr. Goodman):

On April 20, 1976, a Motion to Dismiss the instant case was filed before the Board by William J. Scott, Attorney General of the State of Illinois, as attorney for the Environmental Protection Agency (Agency). On May 4, 1976, the Agency informed the Board by letter that the Attorney General was not authorized to file said Motion. Because the Agency, the party before the Board, has indicated its opposition to the Motion filed by its attorney, the Board declines to grant said Motion. Therefore, the Motion to Dismiss is hereby denied.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 6<sup>th</sup> day of May, 1976 by a vote of 5-0.

  
Christan L. Moffett, Clerk  
Illinois Pollution Control Board