

ILLINOIS POLLUTION CONTROL BOARD
February 27, 1973

CITIZENS FOR A BETTER ENVIRONMENT)
)
) #73-19
 v.)
)
 GLENVIEW NAVAL AIR STATION)

ORDER OF THE BOARD (BY SAMUEL T. LAWTON, JR.):

On February 14, 1973, we denied Respondent's Motion to Dismiss based on the principle of sovereign immunity. On February 15, 1973, we received a motion from the United States Attorney on behalf of Respondent to vacate and reconsider our order, which motion was premised on the possibility that the Board's decision had been rendered without the benefit of Respondent's reply. Our February 14, 1973 order makes reference to the receipt of the reply, which had been considered at the time of the rendition of the order and, accordingly, the motion to vacate and reconsider is denied.

On February 16, 1973, we received a motion by complainant to amend the complaint by modifying the caption to designate The United States Government, Thru its ownership and operation of the Glenview Naval Air Station and Captain R. C. Merchant, Commanding Officer, Glenview Naval Air Station, Glenview, Illinois, as Respondents and to amend paragraph 2 on page 1 of the complaint by deleting reference to Ill, Rev. Stat., Ch. 111-1/2, Sec. 1009(a) and substituting in lieu thereof, Ch. 111-1/2, Sec. 1003(n) which Motion to Amend is allowed.

IT IS SO ORDERED.

I, Christian Moffett, Clerk of the Illinois Pollution Control Board, certify that the above Order was adopted on the 27th day of February, 1973, by a vote of 3 to 1.

Samuel T. Lawton, Jr.