

ILLINOIS POLLUTION CONTROL BOARD
April 17, 1973

ENVIRONMENTAL PROTECTION AGENCY)
)
) #72-485
 v.)
)
 MILAM CORPORATION)

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

Respondent has filed a motion to dismiss the amended complaint alleging the absence of proof at the hearing with respect to certain allegations therein contained.

The Environmental Protection Agency has filed a motion for leave to add a party co-respondent. The respondent's motion to dismiss the amended complaint goes to the substantive issue of the case. and since the hearing has already been completed, will be taken with the case.

Our order with respect to the Agency's motion for leave to add an additional party respondent is deferred pending receipt of a response from the Respondent and proposed party co-respondent.

IT IS SO ORDERED.

I, Christan Moffett, Clerk of the Illinois Pollution Control Board, certify that the above Order was adopted on the 17th day of April, 1973, by a vote of 3 to 0.

Christan L. Moffett