

ILLINOIS POLLUTION CONTROL BOARD
March 2, 2000

MORTON COLLEGE BOARD OF TRUSTEES OF ILLINOIS COMMUNITY COLLEGE DISTRICT NO. 527,)	
Complainant,)	
v.)	PCB 98-59
TOWN OF CICERO,)	(Enforcement - Land)
Respondent.)	
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TOWN OF CICERO,)	
Third-party Complainant,)	
v.)	PCB 98-59
NATIONAL JOCKEY CLUB,)	(Enforcement - Land)
Third-party Respondent.)	

ORDER OF THE BOARD (by G.T. Girard):

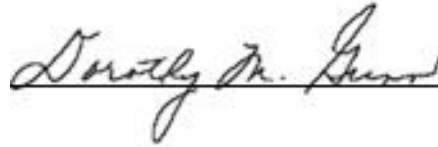
On February 25, 2000, Morton College Board of Trustees of Illinois College (Morton College Board) filed a motion to voluntarily dismiss the complaint it had filed. That motion is hereby granted.

The Board notes that on December 28, 1999, the Town of Cicero (Cicero) filed a third-party complaint against National Jockey Club. The third-party complaint is seeking recovery from the National Jockey Club for any response costs Cicero may incur in connection with the site subject to this proceeding. On February 3, 2000, the Board found that the third-party complaint, was neither duplicitous nor frivolous and accepted for hearing the third-party complaint.

As the third-party complaint is seeking recovery for any costs Cicero might have incurred based on the Morton College Board complaint, the third-party complaint would now appear to be moot. The Board directs Cicero to show why the third-party complaint is not moot by March 9, 2000, or the third-party complaint will also be dismissed.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 2nd day of March 2000 by a vote of 6-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", written over a horizontal line.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board