

ILLINOIS POLLUTION CONTROL BOARD
January 10, 1991

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,)
)
v.) PCB 90-184
) (Enforcement)
)
HOPPER PAPER DIVISION,)
GEORGIA PACIFIC CORPORATION,)
a foreign corporation, and)
TAYLORVILLE SANITARY DISTRICT,)
a municipal corporation,)
)
Respondents.)


ORDER OF THE BOARD (by J. C. Marlin):

On October 22, 1990, the Taylorville Sanitary District filed a third party complaint against Metcalf & Eddy Services, Inc. (M&E). On November 8, 1990, the Board stated that a third party complaint required a duplicitous and frivolous determination pursuant to Section 31(b) of the Environmental Protection Act (Act). The parties were to file any responses to the third party complaint by November 27, 1990.

On December 4, 1990, the Board granted M&E until January 4, 1991 to respond to the duplicitous and frivolous issue. None of the parties have filed a response with the Board. Therefore, after reviewing the complaint, the Board finds that the third party complaint is neither duplicitous or frivolous under Section 31(b) of the Act. The complaint and third party complaint may proceed to hearing as appropriate.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Opinion and Order was adopted on the 10th day of January, 1991, by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board