

ILLINOIS POLLUTION CONTROL BOARD
January 12, 1984

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,)
)
v.) PCB 83-163
)
LARRY BITTLE D/B/A SOUTHERN)
RECYCLING, AND J. MAX MITCHELL,)
)
Respondents.)


ORDER OF THE BOARD (by J. Anderson):

This Order addresses a) Bittle's motion to dismiss of December 15, 1983 and the Agency's December 20 response in opposition and b) Mitchell's December 6, 1983 motion to join additional parties and the Agency's January 11, 1984 response stating its lack of objection.

The motion to dismiss is denied, as the various factual allegations made in the pleadings can be fully developed only at hearing. The motion to join Leonard C. Bittle and William Gamber as party respondents is granted. The Agency is directed to expeditiously amend its complaint and to make service thereof on the additional respondents.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 12th day of January, 1984 by a vote of 7-0.


Christan L. Moffett, Clerk
Illinois Pollution Control Board