

ILLINOIS POLLUTION CONTROL BOARD
June 6, 1996

DON CARSON STEINHEIMER and RAY)
DARROW STEINHEIMER AS CO-)
EXECUTORS OF THE ESTATE OF IRENE)
D. STEINHEIMER, deceased,)
)
Complainants,)
)
v.)
)
GTE NORTH, INC.,)
a Wisconsin Corporation,)
)
Respondent.)

PCB 95-51
(UST - Enforcement)

ORDER OF THE BOARD (by R.C. Flemal):

On May 13, 1996 complainants filed a motion for voluntary dismissal with leave to reinstate. According to complainants, the parties have reached a negotiated settlement regarding the violations alleged in the complaint. Because the negotiated settlement requires respondent to perform certain actions, complainants request the Board issue an order with leave to reinstate if respondent does not so perform. Complainants state it may be necessary to bring a separate action before the Board related to the allegations of the complaint.

The settlement agreement has not been included in the filings. If complainants wish to bring a future enforcement action against respondents they are free to do so in another proceeding. Therefore the Board makes no finding regarding any enforceable settlement.

The Board hereby dismisses the complaint with leave to refile. This matter is dismissed and this docket is hereby closed.

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 ____ day of _____, 1996, by a vote of _____.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board