

ILLINOIS POLLUTION CONTROL BOARD
May 12, 1971

EMPLOYEES OF HOLMES BROS., INC.)
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v.)
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MERLAN, INC.)

71-39

Opinion of the Board (by Mr. Currie):

This is a private enforcement action complaining of the emission of fugitive dust and other contaminants from a metal industry in Danville. The original complainants have asked us to table the complaint on the ground of assurances from the respondent that the problem will be ameliorated, apparently, among other things, by building a fence. The Environmental Protection Agency has asked leave to intervene.

The petition to intervene is granted. The Agency's participation will ensure that the public interest, as well as the interests of the individual complainants, is protected, and the Agency alleges that it is in possession of facts that are essential to adequate resolution of the case. A hearing will be held after receipt of the Agency's complaint. The individual complainants are invited to participate; they are free not to, of course, if that is their desire.

I, Regina E. Ryan do hereby certify that the above Opinion was approved by the Board on the 12 day of May, 1971.

