



The Board finds that the first amended complaint meets the content requirements of the Board's procedural rules. *See* 35 Ill. Adm. Code 103.204(c). A non-moving party has 14 days to respond to a motion. *See* 35 Ill. Adm. Code 101.500(d). The Board received no response to the People's motion for leave to file the first amended complaint. Any objection to granting the motion is deemed to have been waived. *Id.* This case has not yet been to hearing, and the Board agrees with the People that granting the motion for leave is consistent with administrative economy and efficiency. The Board grants the People's unopposed motion for leave and accepts the first amended complaint for hearing. In future filings, the caption in this case must reflect that Dennis Ballinger has been added as a respondent.

Any motion attacking the first amended complaint is due Monday, September 23, 2019, which is the first business day following the 30th day after the date of today's order. *See* 35 Ill. Adm. Code 101.300(a), 101.506.

Answers to the first amended complaint are due Monday, October 21, 2019, which is the 60th day after the date of today's order. *See* 35 Ill. Adm. Code 103.204(d). A respondent's failure to file an answer to a complaint within 60 days after receiving the complaint may have severe consequences. Generally, if a respondent fails by that deadline to file an answer specifically denying, or asserting insufficient knowledge to form a belief of, a material allegation in the complaint, the Board will consider a respondent to have admitted the allegation. *See* 35 Ill. Adm. Code 103.204(d). A timely motion attacking the first amended complaint will stay the moving party's 60-day deadline to file an answer until the Board disposes of the motion. *See* 35 Ill. Adm. Code 101.506, 103.204(e). The Board directs the hearing officer to proceed expeditiously to hearing.

IT IS SO ORDERED.

I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on August 22, 2019, by a vote of 5-0.



Don A. Brown, Clerk  
Illinois Pollution Control Board