

ILLINOIS POLLUTION CONTROL BOARD

November 15, 2001

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 02-56
)	(Enforcement - Water)
CHIQUITA PROCESSED FOODS, L.L.C.,)	
)	
Respondent.)	

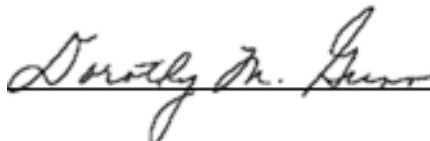
ORDER OF THE BOARD (by C.A. Manning):

On November 9, 2001, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against Chiquita Processed Foods, L.L.C. (Chiquita). See 415 ILCS 5/31(c)(1) (2000); 35 Ill. Adm. Code 103.204. The People allege that Chiquita violated Sections 12(a), 12(d), 12(f) of the Environmental Protection Act (Act) (415 ILCS 5/12(a), 12(d), 12(f) (2000)) and Sections 302.202, 302.204, 302.206, 304.106, 304.141(a) of the Board's water pollution regulations and standard condition 5 of attachment H of the National Pollutant Discharge Elimination System (NPDES) permit. The complaint concerns Chiquita's pumpkin processing facility in Princeville, Peoria County.

The Board accepts the complaint for hearing. See 35 Ill. Adm. Code 103.212(c). A respondent's failure to file an answer to a complaint within 60 days after receiving the complaint may have severe consequences. Generally, if Chiquita fails within that timeframe 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 Chiquita to have admitted the allegation. 35 Ill. Adm. Code 103.204(d). The Board directs the hearing officer to proceed expeditiously to hearing.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on November 15, 2001, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board