ILLINOIS POLLUTION CONTROL BOARD
May 2, 2002

PEOPLE OF THE STATE OF ILLINOIS,	)	
	)	
Complainant,	)	
	)	
v.	)	PCB 02-185
	)	(Enforcement - Air)
FERRARA PAN CANDY COMPANY,	)	
	)	
Respondent.	)	

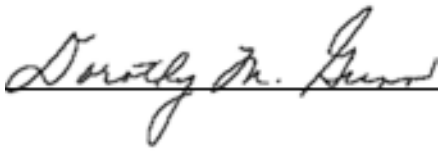
ORDER OF THE BOARD (by C.A. Manning):

On April 23, 2002, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a nine-count complaint against Ferrara Pan Candy Company (Ferrara). *See* 415 ILCS 5/31(c)(1) (2000); 35 Ill. Adm. Code 103.204. The People allege that Ferrara violated various provisions of the Environmental Protection Act, the Board's air pollution regulations, and its Federally Enforceable State Operating Permit. The People further allege that Ferrara violated these provisions by emitting volatile organic material through the uncontrolled operation of its equipment. The complaint concerns Ferrara's candy manufacturing facility located at 7301 West Harrison Street, Forest Park, Cook 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 Ferrara 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 Ferrara 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 May 2, 2002, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board