

ILLINOIS POLLUTION CONTROL BOARD
January 23, 2003

PEOPLE OF THE STATE OF ILLINOIS,)
)
 Complainant,)
)
 v.) PCB 01-2
) (Enforcement – Air)
 NATIONAL MATERIAL L.P., an Illinois)
 limited partnership d/b/a NATIONAL)
 LAMINATION COMPANY, and NM)
 HOLDING, INC., a Nevada corporation,)
)
 Respondents.)

ORDER OF THE BOARD (by M.E. Tristano):

This matter is before the Board on a motion for leave to file an amended complaint filed September 5, 2002, by the People of the State of Illinois (complainant). There has been no response from the respondents on this motion.

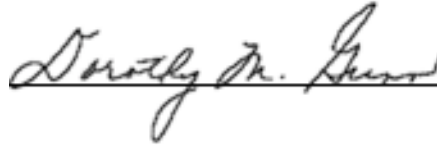
On July 5, 2000, the complainant filed a four-count complaint against National Material L.P and NM Holding Inc. (respondents). The four counts include constructing an emission source without a permit; operating emission sources without a permit; operating a major stationary source without a Clean Air Act Permit Program permit; and failure to submit annual emissions reports. All the alleged violations arose from respondents' manufacture facility of laminated parts for electric motors and other electrical equipment at their Des Plaines, Cook County.

After the filing of the complaint, the complainant determined that in 1991, respondents constructed a furnace and burnoff oven at the facility, which construction constituted an unpermitted major modification for volatile organic material in an ozone non-attainment area. The complainant argues that this gives rise to additional violations of the Environmental Protection Act and Board regulations that were not set forth in the original complaint. The complainant seeks to add factual allegations and add count V, titled Major Modification Without a Permit.

The Board grants the motion for leave to file an amended complaint. For the purposes of deadlines to file an answer or responsive motion, the Board deems the respondent to have received the amended complaint as of the date of this order.

IT IS SO ORDERED.

I, Dorothy M. Gunn, clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on January 23, 2003, by a vote of 6-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", is written over a horizontal line.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board