

ILLINOIS POLLUTION CONTROL BOARD
April 17, 2003

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 03-182
)	(RCRA Enforcement – Air, Water)
REILLY INDUSTRIES, INC.,)	
)	
Respondent.)	

ORDER OF THE BOARD (by T.E. Johnson):

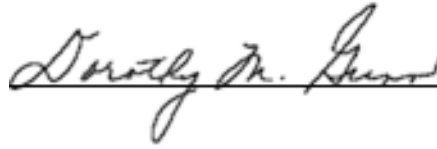
On April 8, 2003, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against Reilly Industries, Inc. (Reilly Industries). *See* 415 ILCS 5/31(c)(1) (2002); 35 Ill. Adm. Code 103.204. The complaint concerns Reilly Industries' coal tar distillation process facility at 1450 Edwardsville Road, Granite City, Madison County.

The People allege that Reilly Industries violated Sections 9(a) and (b), 12(d), and 21(e) and (f) of the Illinois Environmental Protection Act (415 ILCS 5/9(a) and (b), 12(d), and 21(e) and (f) (2002)) and 35 Ill. Adm. Code 201.143, 219.501(a) and (b), 703.121(a), 722.123(a), 722.134(a), and 725.131, 725.151(b), 725.156(j), and 725.273(a) (2002). The People further allege that Reilly Industries violated these provisions by operating a batch operation whose emissions exceeded those allowed by regulation, in excess of those allowed by permit, and after expiration of a construction permit; by operating a waste treatment, storage, or disposal unit or transporting waste into Illinois for treatment, storage, disposal, or abandonment at a facility that did not comply with applicable law and regulations; by operating a hazardous waste disposal facility without a Resource Conservation and Recovery Act (RCRA) permit and in violation of applicable exemption requirements; by operating a hazardous waste treatment, storage, or disposal facility in violation of RCRA facility operation and maintenance, emergency procedures, and container management requirements; by violating hazardous waste manifest requirements; and by causing or allowing the release of waste to the ground so as to create a water pollution hazard and to cause air pollution.

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 Reilly Industries 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 Reilly Industries 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 April 17, 2003, by a vote of 6-0.

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

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board