

ILLINOIS POLLUTION CONTROL BOARD
January 22, 2004

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
v.)
)
MARC REALTY, INC., an Illinois) PCB 04-100
corporation, 11 EAST ADAMS, L.L.C., an) (Enforcement - Air)
Illinois limited liability company, and)
ROBERTS ENVIRONMENTAL CONTROL,)
INC., an Illinois corporation,)
)
Respondents.)

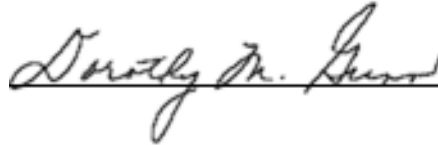
ORDER OF THE BOARD (by J.P. Novak):

On December 22, 2003, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against Marc Realty, Inc., 11 East Adams, L.L.C., and Roberts Environmental Control, Inc. (respondents). *See* 415 ILCS 5/31(c)(1) (2002); 35 Ill. Adm. Code 103.204. The People allege that the respondents violated Section 9(a) and 9.1(d) of the Environmental Protection Act (415 ILCS 5/9(a) and 9.1(d) (2002)); 35 Ill. Adm. Code 201.141; and 40 C.F.R. 61.145(a), (b), (c)(1), (c)(6), and (c)(8), as enforceable under Section 9.1(d) of the Act (415 ILCS 5/9.1(d) (2002)). The People further allege that the respondents violated these provisions by failure to comply with standards applicable to removal of asbestos-containing materials and the emission of asbestos during the course of building renovations. The complaint concerns the 16 floor office building at 11 East Adams Street, Chicago, 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 the respondents 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 the respondents 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 January 22, 2004, by a vote of 5-0.

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

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board