

ILLINOIS POLLUTION CONTROL BOARD
March 5, 1998

PEOPLE OF THE STATE OF ILLINOIS,)
)
 Complainant,)
)
 v.) PCB 97-62
) (Enforcement - Air)
 GEON COMPANY,)
)
 Respondent.)

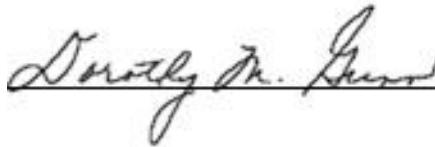
ORDER OF THE BOARD (by J. Theodore Meyer):

On February 17, 1998, complainant, People of the State of Illinois by James E. Ryan, Attorney General of the State of Illinois, filed a "Motion for Leave to Withdraw Second Amended Complaint Currently Pending Before the Board, Motion for Leave to File Second Amended Complaint, and Second Amended Complaint" (motions). In the motions, complainant requests that the Board grant the motion to withdraw the second amended complaint and allow it to refile the complaint to include additional incidents involving the release of vinyl chloride at the facility owned and operated by respondent, Geon Corporation.

Respondent did not file a response to the motions within 7 days after service as allowed by the Board's procedural rules, and is "deemed to have waived objection to the granting of the motion." 35 Ill. Adm. Code 101.241(b). The Board hereby grants complainant's motion to withdraw the second amended complaint and motion for leave to file a second amended complaint.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 5th day of March 1998, by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board