

ILLINOIS POLLUTION CONTROL BOARD
April 2, 1998

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
v.) PCB 97-192
) (Enforcement - Water)
SUNDALE SEWER CORPORATION)
and HOWARD SPURGEON,)
)
Respondents.)

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

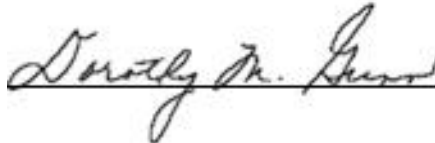
On March 13, 1998, complainant filed a "Motion to Amend Complaint" and "Amended Complaint" (motion). In the motion, complainant seeks to 1) amend the complaint to add Howard Spurgeon, sole owner and president of Sundale Sewer Corporation, as a respondent and 2) include the following additional allegations: water pollution and effluent violations; sewer backup and manhole pumping violations; and operational violations.

Respondent, Sundale Sewer Corporation, 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 for leave to file the amended complaint. The caption reflects the Board's decision to add Howard Spurgeon as a respondent in this matter.

IT IS SO ORDERED.

Board Member K.M. Hennessey abstained.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 2nd day of April 1998, by a vote of 5-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board