

ILLINOIS POLLUTION CONTROL BOARD  
November 2, 2006

PEOPLE OF THE STATE OF ILLINOIS, )  
)  
Complainant, )  
)  
v. ) PCB 07-28  
) (Enforcement – Land)  
PROVENA HOSPITALS d/b/a PROVENA )  
UNITED SAMARITANS MEDICAL )  
CENTER, an Illinois not-for-profit )  
corporation, and RESURRECTION )  
CATHOLIC CEMETERY ASSOCIATION )  
OF DANVILLE, ILLINOIS, an Illinois not- )  
for-profit corporation, )  
)  
Respondents. )

ORDER OF THE BOARD (by A.S. Moore):

On October 24, 2006, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against Provena Hospitals d/b/a Provena United Samaritans Medical Center (Provena) and Resurrection Catholic Cemetery Association of Danville, Illinois (Resurrection) (collectively, respondents). *See* 415 ILCS 5/31(c)(1) (2004); 35 Ill. Adm. Code 103.204.

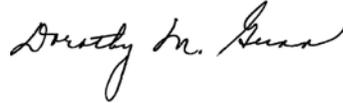
The People allege that respondents violated Sections 56.1(A)(a), 56.1(A)(b), 56.1(A)(d), 56.1(A)(h), and 56.1(A)(i) of the Environmental Protection Act (Act) (415 ILCS 5/56.1(A)(a), 56.1(A)(b), 56.1(A)(d), 56.1(A)(h), and 56.1(A)(i) (2004)) and Section 1420.104 of the Board's biological materials regulations (35 Ill. Adm. Code 1420.104). The People further allege that respondents violated these provisions by causing or allowing the disposal of potentially infectious medical waste (PIMW) consisting of human pathological wastes and body parts at the cemetery. The People further allege that respondents violated these provisions by causing or allowing the delivery or transfer of PIMW for transport without strict compliance with Board regulations, without a permit issued by the Illinois Environmental Protection Agency, and without a completed PIMW manifest. The People further allege that respondents violated these provisions by causing or allowing the transport of PIMW without a completed PIMW manifest and without payment of the fee required by the Act. The complaint concerns Provena's operation of a hospital at 812 North Logan Avenue, Danville, Vermilion County. The complaint also concerns Resurrection's operation of a cemetery at 818 Wendt Street, Danville, Vermilion 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 either of the two respondents fails on or before that

deadline 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 that respondent 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 November 2, 2006, by a vote of 4-0.

A handwritten signature in cursive script that reads "Dorothy M. Gunn".

Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board