

ILLINOIS POLLUTION CONTROL BOARD  
February 20, 2003

PEOPLE OF THE STATE OF ILLINOIS, )  
)  
Complainant, )  
)  
v. ) PCB 03-117  
) (Enforcement - Land)  
BI STATE TIRE, INC., an Illinois corporation, )  
)  
Respondent. )

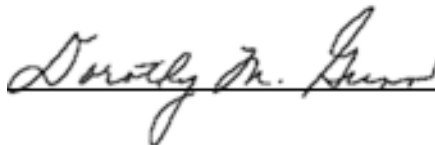
ORDER OF THE BOARD (by D.C. Karpel):

On February 5, 2003, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against Bi State Tire, Inc. (Bi State Tire). See 415 ILCS 5/31(c)(1) (2002); 35 Ill. Adm. Code 103.204. The People allege that Bi State Tire violated Sections 55(a)(4) and (e) of the Environmental Protection Act (415 ILCS 5/55(a)(4) and (e) (2002)) and Sections 848.202(b)(1), (4), (5) and (c)(5) of the Board's regulations (35 Ill. Adm. Code 848.202(b)(1), (4), (5) and (c)(5)). The People further allege that Bi State Tire violated these provisions by allowing the operation of a tire storage facility in violation of the Board's regulations. The complaint concerns Bi State Tire's facility at 730 31st Avenue in Rock Island, Rock Island 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 Bi State Tire 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 Bi State Tire 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 February 20, 2003, by a vote of 7-0.



Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board