

ILLINOIS POLLUTION CONTROL BOARD
March 20, 1997

LIONEL TREPANIER, DANIEL MILLER,)	
WES WAGER, MAUREEN COLE,)	
LORENZ JOSEPH, MAXWORKS GARDEN)	
COOPERATIVE and AVI PANDYA,)	
)	
Complainants,)	
)	
v.)	PCB 97-50
)	(Enforcement - Citizens)
SPEEDWAY WRECKING COMPANY and)	
BOARD OF TRUSTEES OF THE)	
UNIVERSITY OF ILLINOIS,)	
)	
Respondents.)	

ORDER OF THE BOARD (by K.M. Hennessey):

This is a citizens' enforcement case involving the demolition of several buildings in the area of Halsted and Maxwell streets in the City of Chicago. The complaint alleges that respondents have demolished or will demolish certain buildings and have created or will create air pollution and open dumping in violation of the Illinois Environmental Protection Act.

Now pending before the Board is the March 6, 1997 motion of the Board of Trustees of the University of Illinois (University) for leave to file its general denial and affirmative defenses, to cure any technical defaults, to postpone the hearing of this matter and to allow the additional appearance of Mr. Jeddelloh and the firm of Burditt & Radzius. The University also attached its first request to produce and its first set of interrogatories to its motion. Complainants have not filed a response to the University's motion.

In its motion, the University states that it received the Board's order of January 23, 1997, which granted the complainants' motion to add the University as a respondent, on or about January 29, 1997. (Mtn. at 1.) The University states that it retained the services of Mr. Jeddelloh and his firm shortly thereafter, who have prepared the answer, affirmative defenses and discovery requests attached to the motion. (*Id.*) The Board grants the University's motion insofar as the motion seeks to cure any technical defaults. The Board also grants the University's motion to the extent that it seeks leave to file the University's general denial, affirmative defenses and appearances of its attorneys.

The University also states that on January 31, 1997, the Hearing Officer in this case issued an order setting this case for hearing on May 21, 1997. (Mtn. at 2.) The University requests that the hearing be postponed for at least one month, or until after complainants have

fully answered the University's written discovery. (*Id.*) The University states that after it receives discovery responses, it may wish to schedule depositions or to file a motion for summary judgment. (*Id.*) The University also requests that a status conference be set for 45 days hence. (*Id.*) The Board refers each of these matters to the Hearing Officer.

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 _____ day of _____, 1997, by a vote of _____.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board