

ILLINOIS POLLUTION CONTROL BOARD
June 8, 2000

ANTONIO D.H. NAM,)	
)	
Complainant,)	
)	
v.)	PCB 97-234
)	(Enforcement- UST, Citizens)
KIKON SUH,)	
)	
Respondent.)	
)	

ORDER OF THE BOARD (by C.A. Manning):

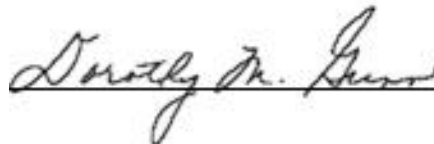
On April 4, 2000, Kikon Suh (respondent) moved the Board for leave to file *instanter* a third-party complaint against Herbert O. Schmeisser, Jr.; Lee Supply Company, an Illinois corporation; Ray Petroschius; John Petroschius; Wholesale Janitorial Supply Company, an Illinois corporation; Riverside Supply, Inc., an Illinois corporation; and Kap Yol Shin d/b/a Auro Auto Body.

The Board issued an order on May 4, 2000, granting respondent 30 days from the date of the order to file proof of service of the third-party complaint upon the third-party respondents pursuant to Section 31 of the Act (415 ILCS 5/31 (1998)). If the respondent did not file proof of service, the order stated that the Board would deny his motion for leave to file the third-party complaint. Respondent did not file proof of service within 30 days after the Board order.

Therefore, the Board dismisses respondent's motion for leave to file *instanter* a third-party complaint for respondent's failure to file proof of service within the time permitted by the Board's order issued on May 4, 2000.

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 8th day of June 2000 by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board