ILLINOIS POLLUTION CONTROL BOARD
May 1, 2003

PEOPLE OF THE STATE OF ILLINOIS,	)	
	)	
Complainant,	)	
	)	
v.	)	PCB 03-191
	)	(Enforcement - Land)
COMMUNITY LANDFILL COMPANY, INC. and CITY OF MORRIS, an Illinois municipal corporation,	)	
	)	
Respondent.	)	

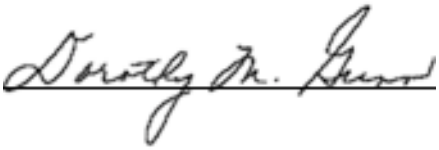
ORDER OF THE BOARD (by N.J. Melas):

On April 17, 2003, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a one-count complaint against Community Landfill Company, Inc. (CLC) and the City of Morris (Morris). *See* 415 ILCS 5/31(c)(1) (2002); 35 Ill. Adm. Code 103.204. The People allege that CLC and Morris violated Section 21(d)(2) of the Act, and Sections 811.700(f) and 811.712 of the Board rules. 415 ILCS 21(d)(2); 35 Ill. Adm. Code 811.700(f), 811.712. The People further allege that respondents violated these provisions by failing to provide proper financial assurance. The complaint concerns the Morris Community Landfill, approximately 119 acres in area and divided into parcel "A" and parcel "B," located at 1501 Ashley Road, Morris, Grundy 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 the respondents fail 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 the respondents 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 May 1, 2003, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board